

**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 3, 2008  
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, March 3, 2008. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Steve Kumorkiewicz, Clyde Allen and Mike Serpe. Also present were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; and Vesna Savic, Deputy Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - FEBRUARY 14 AND 18, 2008**

**YUHAS MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD MEETINGS OF FEBRUARY 14 AND 18, 2008 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**5. CITIZEN COMMENTS**

Bob Babcock, Sr.:

Bob Babcock, 11336 Lakeshore Drive. On the agenda tonight is Item K which deals with the televising of the Board and Commission meetings. And I sincerely hope that the Board will begin the process to implement the televising of our meetings. As I mentioned at the last Board meeting, our Lieutenant Governor has stated that she is in favor of any incentive that makes the government process more accessible to the public. And our system should not be cloak and daggers but needs to be a transparent and open process that we can all view.

A number of communities have adopted the policies of televising in order to open the government process and provide timely information to more of the citizens they represent. A couple of the communities that the Village often refers to as comparable to Pleasant Prairie are Muskego. They televise most of the meetings which includes the Council Planning Commission, Utility Public Works and Parks and Recreation. A total of \$27,500 is budgeted for 2008. They do have a City cable channel but I did not find out if there are any franchise fees that could be used to offset these costs.

Another community is Middleton, and this one is very interesting because they are doing this in conjunction with their schools. They have an agreement with their school district to televise the City Council, Planning Commission as well as other City programs. They pay the district an

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annual fee of \$40,000, plus they provide all of the necessary equipment for these live broadcasts. And all of their funding for this is derived from their cable franchise. This is quite a surprise for me to hear that the school district was doing the televising because I thought I had a unique idea when I suggested doing it.

Senator Wirch's office has said that it is pretty safe to say that he is an advocate for governmental bodies televising their meetings but is not in favor of mandating it and I agree with that wholeheartedly. I think a mandate would be bad for a number of the communities. Representative Kreuser's office asked for my name, address and phone number but as yet they have not gotten back to me with any response.

Item K refers to a report on televising, and I would like to know if this is an internal report if an outside firm was hired to prepare it. If it is an outside firm I would like to know how much they charged for it. And I certainly hope that the idea of the school participation in televising the meetings is included in this report. Mr. Eric Olson thinks it would be a fine idea and has suggested that you ask the Indian Trail Academy to participate. They already have a communication house and would be able to give you a price that they would need to run this program, and he suggests calling their principal, Mr. Aiello, about how they can participate. And if you had to pay for the report my report here is free. Thank you.

Dick Ginkowski:

Dick Ginkowski, 7022 51<sup>st</sup> Avenue. My report is also free, although I guess I should charge a consulting engineer's fee if I did any real work on it. Since I am a broadcast engineer, in addition to wearing a number of other hats, I want to speak about some of the things that Bob Babcock has said because actually he alluded to, if you look at the Middleton example, of a realistic cost. One of the problems that you have in this particular area in terms of trying to do a live broadcast over a cable channel or airway is the fact that we are away from the central control point for the Village cable communication. So the point of entry exists several miles away from here. So in order to actually send a signal back we not only need the equipment, as I've indicated before, but you also need to have some type of line to be able to tap into the system and get back on. Plus you have to have people at the control point and at the camera point, camera operators and the switchers and people to do the job.

So, yes, there is a cost and I think Bob Babcock probably identified very closely \$40,000 is probably on the low end plus the equipment in terms of operational costs. It may be more and it may be less, and it's something that I think if somebody wanted to do the proper way to do it is to get an engineering study and to have it done properly to have someone look at it and say this is what we need, this is the equipment, here's like the basic plan, the intermediate plan and the Cadillac plan and you evaluate those options and that's the way to do it.

It's not beating on the podium every week saying we ought to be doing something particularly when it's not in the budget. And that is one of the things that I'm concerned about in Item K is we have had one of the first snowfall years on record. So, if I'm to say where should the Village be spending its money, even though I favor broadcasting meetings live, the fact of the matter is I'd rather the money go to the roads. If there's spare money over sometimes look at this. If it's

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in the budget and other priorities that would not necessitate a tax increase could support it, I think go for it. If someone is willing to donate some money to the Village, some business, some enterprise that's really motivated by this go for it.

But it's sort of interesting to hear the Lieutenant Governor make comments about what the Village ought to do but there's only one problem, there's no money with that. And if the State wanted to send some money down to the Village and say, here, use it to televise your meetings, super. But that hasn't happened. And while I strongly support the concept, I do believe we could as an intermediate measure have a live audio cast on the web at almost no cost, the bottom line remains there is a cost factor here. It is not budgeted. Maybe it ought to be looked at as a budget item and have a proper study and also to determine what the level of interest in the community is in having it done and whether the cost is justified.

There's a right way to do it. There's a wrong way to do it. Quite frankly I support doing it the right way and I also support putting it into a prioritization with other necessary Village expenditures. Potholes or TV broadcast? I'd say fix the potholes and plow the streets, but if there's money left over and there's an alternate source go for it. Thank you.

Bob Babcock, Jr.:

Bob Babcock, 11253 3<sup>rd</sup> Avenue. Obviously I'm in favor of broadcasting all of our meetings on television; however I'm going to reserve my comments until after the report. It's good to know what the agenda is. It's good to know there is a report, but if we could have some vision into that before the meeting it would be easier for us to make comments one way or the other. I know Jean puts a great PowerPoint together and it would be very simple and cheap for her to put that on the website ahead of time so we would have a chance to view that and see what reports are, not just this, but a lot of different items. That would be another way to become more visible and transparent. Thank you.

John Steinbrink:

Anyone else wishing to speak under citizens' comments?

Jean Werbie:

Mr. President, I received a letter or an e-mail this afternoon from Mike Renner, 3211 122<sup>nd</sup> Street, Pleasant Prairie, Wisconsin. He asked that this be read into the record and his comments are as follows: Will the temporary cul-de-sac face the same 800 foot ordinance requirement as with permanent cul-de-sacs, Section 395-60 C of the Land Division and Development Control Ordinance like the agenda Item 7 tonight, unfinished business Item A related to The Orchard? If so, will they have to be approved with a variance for each temporary cul-de-sac? Jean Werbie and Mike Pollocoff mentioned that over 40 streets in the Village currently extend beyond the 800 requirement. How many of these streets are intended to connect in the future to a Village street and how many actually have a temporary cul-de-sac currently in place? Will all these temporary cul-de-sacs be reviewed by Police Chief Wagner and Fire and Rescue Chief Guilbert and the Streets and Parks Superintendent John Steinbrink, Jr.?

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My main concern is more related to new subdivision. As an example, an 80 or greater home subdivision by ordinance, Section 395-63, Lots Item O of the Land Division and Development Control Ordinance, requires a minimum of three access points for safety, traffic, etc. For reference Item O the number of lots per access connection each residential subdivision or large lot subdivision should generally have roadway access or provide access onto an arterial, collector or minor street as outlined below: 1. One to 20 lots require a minimum of one access point; 2. 21 to 80 lots require a minimum of two access points; and 3. 81 or more lots require a minimum of three access points.

According to what was discussed at last week's Plan Commission meeting, the above situation could be in place for 20 years or more. I know that it's unlikely but just look at how long 32<sup>nd</sup> Avenue and Prairie Trails West has ended up at that bike trail without a cul-de-sac, and currently snowplows have to back up the entire length from the bike trail to 122<sup>nd</sup> Street and 32<sup>nd</sup> Avenue intersection. These temporary cul-de-sacs are access and safety issues and shouldn't be allowed to remain for extended periods of time. That's why I asked for the definitely of temporary as I believe it needs to be better defined. Thank you. Again, this was from Mike Renner.

John Steinbrink:

Anyone else wishing to speak?

Alex Tiahnybok:

Alex Tiahnybok, 8757 Lakeshore Drive. Both of the Bobs have covered a fair amount of the ground that I wanted to cover. Last Monday I by e-mail communicated with Mr. Pollocoff and asked him about the status of the one percent franchise fee that the previous Board had adopted. And I was informed that because of the changes in the local cable service provider's legislation issues that that never occurred. I know I referred to that one percent several times as a source of funding for what I've been proposing all along that we do, and I'll be curious to see how that works out in the future.

Today, obviously I was aware of the agenda Item K also, and I asked Mr. Pollocoff for a copy of the report in advance. Just in a similar fashion to what Bob Babcock, Jr. suggested it would be nice to know what the tone of the report is in order to have citizens' comments make sense. I was told it was not available. I'm assuming none of you got it until the end of the day today also, a blank page in your agenda packet I assume. I also asked what the tone of the report was and I never got an answer to that. So, again, I don't know what the direction of the report is suggesting.

I would like confirmation from the Board, hopefully not at the end of the meeting, regarding the revenue sources, the cost sources, for what we have on Channel 25 today. My latest understanding was that it was one-third from the utilities, one-third from the RecPlex and one-third from the Village budget general operating expenses. I'd like confirmation on that. Because right now if we're not collecting a one percent franchise fee the citizens of the Village are paying

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for a third of Channel 25 and I'd like to hear confirmation on that. Because there has been a suggestion that taxpayers aren't paying for it now and I'd like to hear if, in fact, they are.

I'd like to commend you for the baby steps of putting audio, a step in the right direction. This morning at 10:29 I had put Channel 25 on and Village employment opportunities were posted. At 10:31 the YouTube Pleasant Prairie promo video was on. At 10:32 the Kenosha County Board meeting from February 12<sup>th</sup> was broadcast in its entirety. At 11:28 the Pleasant Prairie promo video was played again. At 10:31 a video about RecPlex, stretching, Romanian dead lifts and all sorts of stuff were being showed. And then following that was snowplowing. I have no objection to any of these things. I think it's good that County Board meeting are shown in Pleasant Prairie. But if we have the County Board and we have the wakeboard competition then, once again, why don't we have the Village Board meetings. It was suggested that the meetings are boring. I agree a lot of them are pretty boring, but I think it's for the citizens to decide.

Again, I think a lot of the stuff on Channel 25 is good. There was a suggestion that Channel 25 have a studio somewhere now. The contention that I hear over and over again that these meetings must be live broadcast I think is totally unfounded. As a matter of fact, if you want to see a live meeting why not just come here. You can't watch Channel 25 anywhere else other than in Pleasant Prairie so it's a maximum of seven miles to get here. So if somebody wants to see a meeting live they should just drive here.

My point all along is if you pick up the *Kenosha News* on Tuesday morning and you read a story in there and you think, oh, my goodness I didn't know that was happening at Village Hall last night, I think the citizens deserve the opportunity to say I'm going to turn the TV on on Wednesday night at seven o'clock and I'm going to watch that meeting. I want to see what happened. Because the minutes don't come out fast enough for a citizen to be able to respond prior to the next meeting if it's an agenda item that lives over the course of a couple of meetings. So I think there's responsibility. Again, live really doesn't provide that resource at all. Its taped meetings. Tape is simple. I can take the video out of that camera, convert it over to a DVD and you can take it wherever that insertion point is in Channel 25 and plug it in and play it. I don't think the wakeboard competitions we'll worry too much about being preempted. It's time to do this.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? Hearing none I'll close citizens' comments. Anybody wishing to comment from the Board?

**6. ADMINISTRATOR'S REPORT**

**7. UNFINISHED BUSINESS**

John Steinbrink:

Do we need to remove Item A from the table?

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Mike Pollocoff:

Yes, I request we bring that off the table.

Monica Yuhas:

Motion to remove from the table.

Steve Kumorkiewicz:

Second.

**YUHAS MOVED TO REMOVED UNFINISHED ITEM A FROM THE TABLE;  
SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

- A. Consider the request of Christopher Jackson, P.E. of CJ Engineering, on behalf of JM Squared LLC, owner, for a Variance from Section 395-60 C of the Land Division and Development Control Ordinance related to 120th Street, a proposed 1,374 foot cul-de-sac street, exceeding the maximum 800 foot cul-de-sac length by 574 feet, within the proposed 19 lot single-family The Orchard Subdivision, generally located on the west side of 28th Avenue, south of 116th Street, at the approximate 11900 Block.**

Mike Pollocoff:

Mr. President, this item is on the table from our last meeting following discussions about issues surrounding construction access through this subdivision and as it evolved from the variance. Right now the development is somewhat hinged, completely hinged on the Prairie Trails development. They're waiting for some FEMA maps and they've requested an extension. So it would be my recommendation we postpone this item, take it off the agenda until such time as the two developers have had time to get their house in order with respect to their own developments and provide time for the two to then negotiate the construction access through their various sites and then at that time bring it back to variance.

I don't believe that it's necessary that the variance happen at this time. I think we should allow the developers to run their own process through. So rather than keeping it on the agenda for every meeting on the table I recommend we remove it from the table and bring it back when they've addressed the questions that were brought about at the last meeting.

Mike Serpe:

Mr. Chairman, I'd move to remove Item A from the agenda.

Steve Kumorkiewicz:

Second.

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John Steinbrink:

Motion by Mike, second by Steve. Further discussion?

**SERPE MOVED TO REMOVE ITEM A FROM THE AGENDA; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

John Steinbrink:

That brings us to Item B under Item 7, unfinished business. Motion to remove the bartender license application for James Hoff from the table?

Clyde Allen:

I'd move to remove it from the table.

Steve Kumorkiewicz:

Second.

**ALLEN MOVED TO REMOVE UNFINISHED ITEM B FROM THE TABLE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**B. Consider the Bartender License Application for James Hoff.**

Clyde Allen:

Make a motion to approve the bartender license for James Hoff.

Mike Serpe:

I'll second that and he explained the reason why it was brought back. I'll second.

John Steinbrink:

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

Mike Serpe:

He corrected the application.

Steve Kumorkiewicz:

. . . domestic violence . . . .

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John Steinbrink:

That was the concern. Further discussion?

**ALLEN MOVED TO APPROVE THE BARTENDER LICENSE FOR JAMES HOFF;  
SECONDED BY SERPE; MOTION CARRIED 5-0.**

**8. NEW BUSINESS**

**A. Receive Report on status of Cooperative Plan with the Town of Bristol and consider adoption of the plan.**

Mike Pollocoff:

Mr. President, tonight Kevin Long, our counsel from Quarles and Brady, is here to go through the reports, his report on our status with the cooperative plan and for the consideration we may have on adopting that or taking that step. So I'd ask Kevin to proceed.

Kevin Long:

Thank you. You should have in your packets three documents and those will sort of drive the conversation. The first document, and some of this, all of this in fact, follows up on the public work meeting that we held on February 14<sup>th</sup> to discuss the cooperative plan. At that time, the first document here that says it's dated 2007 was addressed in that meeting, and we made certain changes to that document based on comments of counsel, questions of the Board, question to the Board. The document that says 2008 has different language in it based on those revisions. Then there's the redline version that you have in your packets as well.

What occurred here is that coming out of the—a number of issues were raised at the work meeting by various Board members, and the thought was, okay, my direction at that meeting was go talk to the representatives from Bristol, talk to staff, flesh out these issues and come back to the Board with an actionable or a motionable status. And tonight what you have is two different versions of the agreement and you have a redline showing the changes.

The first version of the agreement is the version that is in substantially the form that was passed by the Town of Bristol. You'll recall some background on this. The Town of Bristol and the Village of Pleasant Prairie had a number of disputes primarily involving borders but also involving other issues throughout the 1990s. And in 1997 a document entitled, an agreement entitled The 1997 Settlement and Cooperation Agreement by and Between the Village of Pleasant Prairie, the Pleasant Prairie Water Utility, Pleasant Prairie Sewer Utility Districts and the Town of Bristol and the Town of Bristol Utility District and the Water Utility District was entered into. That document contemplated a cooperative plan under a particular Wisconsin Statute, 66.0307, be negotiated between the parties and that process has gone on throughout that time.

In September of 2007, a public meeting pursuant to that agreement was held. And how the statute works here is that they say the two municipalities should come to a general agreement and



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then they should hold a public meeting and the public meeting I guess for the purpose of allowing citizens to comment, to give the citizens the input into the plan, into that agreement. That meeting was held on September 6, 2007. The statute then says that from that date forward it gives you a certain time period in which for each Board to finalize and approve a version. After that agreement counsel for the Town and myself as counsel for the Village negotiated some terms of the agreement based on comments that were made at the public meeting and other issues. Most of it was candidly fly specking and making sure that this agreement, which is really not much more than a codification of the 1997 agreement which remains in place, was done correctly.

The Town of Bristol, I don't know the date, but sometime between October 1, 2007 and the end of this year they did pass a version that is substantially similar to this 2007 version. Because of other pressing business of the Board, this Board hadn't had the opportunity prior to February 14<sup>th</sup> to really get into detail of what are the provisions of this agreement, how is it different than 1997 and, more importantly, how are the facts and circumstances that face the Village perhaps are different now than they were in 1997. And as part of that we noted that there were some provisions in this proposed cooperative plan as passed in good faith by the Town of Bristol that perhaps ought to be looked at again, and that was the source of the revisions.

After the meeting I met with Mr. Pollocoff as well as Jean Werbie as well as meeting with counsel for Bristol and worked through some of those issues. I think an appropriate way to deal with all these topics is to just highlight the differences between the two and then take any questions you have. I where this logically goes is that the Board will have one of I think four options. One option would be they could pass the cooperative plan in substantially the form that the Town of Bristol passed. Another option that the Board has is to pass the plan as amended since then that has the changes that we'll discuss in a few minutes. A third option is to indicate that we still are very much interested in negotiating and passing a cooperative plan with the Town of Bristol, but we think there's additional work that needs to be done in order for the two sides to come to an agreement. And the fourth option would be, well, we've looked at that and we don't believe it's in our interest to pursue a cooperative plan. That would I suppose be a fourth option that the Board could take.

In looking at those options there's one statutory issue that needs to come that you should bear in mind. If the Board were to decide not to pass a cooperative plan, if both Boards, the Town Board and the Village Board didn't pass a plan by March 6<sup>th</sup> I think it is, there would be a requirement that the Board hold another public meeting, that both Boards come together and jointly hold another public meeting and give the public more information about the cooperative plan and opportunity for input. And that opportunity for input like many things here is both people can come in person and they can submit written comments.

I think if you take the redline version first that will probably give you the best source of reference to the changes. The first change actually doesn't come until you get to Section 5. That is on approximately the sixth page. And that had to do with at various times in the cooperative agreement is referred to as—the word permanent is referred to and in another times the word long term is referred. The issue was raised in our work meeting that there was a whereas clause in the beginning of the document that referred to as permanent boundary, and then there were other references that were referred to long term. In fact, both of those are somewhat accurate. The

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permanent reference in the whereas clause referred back to the '97 agreement that does use that term and, therefore, that is accurate. With respect to Section 5, the Department of Administration has indicated that you need to have some sort of a term, a finite number, and the 30 year period is the period that has been proposed, and we just made an amendment there to say that the term of the cooperative plan and the terms of the boundary adjustment period shall be 30 years, with boundary adjustment period the period in which that boundary might be adjusted. You'll recall in this case in 1997 all those boundary adjustments have already been made. In 1997 there was an area called the Village growth area and that was those boundary adjustments that were referred to and those have all been made.

If you refer down to Section 7 which is at the bottom of that page, it talks about the topic of attachment of territory in the Village growth area of Town to the Village. And in that area there were some questions at the working meeting by certain Board members. I did discuss this with counsel for Bristol as well as with staff members. I crafted some proposed language here and we can talk about that language. It's important to note that with respect to this specific language, although the Town of Bristol's counsel was given notice of this document on Friday, I don't have a sense as to whether there's an agreement or disagreement with respect to this language.

But what we've done there is say in Section 7.2 it says that a landowner who wishes to have land be attached into the Village must file a petition with the Town, and then the Town of Bristol Board would have to vote up or down on whether or not they agreed that that land ought to move from the Town of Bristol into the Village of Pleasant Prairie. If the Town said no, it's over, there is no change. If the Town said yes it would then to go—the next step in the process would be the Town and the Village would sit down and they would try to enter into accomplishing the attachment on what's called the revenue neutral basis. There are lots of complicated future eventualities that might happen in that situation.

A point was made at the working meeting that certain Village Board members would like to have notice if a landowner is bringing such a petition to the Town. In order to accommodate that request we changed the language here which said that the petition is filed with the Town Clerk with a copy to the Village Clerk. So it just says that if someone goes to the Town with a petition they should also file a copy with the Village Clerk. We then added language at the end of that Section 7.2 that says the Town shall inform all petitioners of the requirement that notice be given to the Village Clerk and may not vote on such an attachment petition if the notice has not been given or waived by the Village. It says that, okay, if somebody is interested in doing this sometime in the future the Town would have to tell them you have to give notice to the Village.

The last sentence says that the Village may but is not required to pass resolutions either supporting or opposing the petitions and such resolution shall not be determined to violate the 1997 settlement and cooperation agreement. This is an important provision because in the 1997 agreement we indicated that we would not encourage people to move from the Town to the Village and we haven't. In fact, when folks do raise that issue they are routinely told, no, that can't be done pursuant to a 1997 agreement and you have to talk to the Town of Bristol with respect to your issues. And so that's the only change in Section 7.

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If we move to Section 8 involving development controls, this is a section where there are certain ordinances that deal with mound systems and other sewer issues, and the agreement as stated required the Town to adopt certain ordinances that were consistent with what was agreed to here. We did learn after our work meeting on the 14<sup>th</sup> Board members asked, well, has the Town adopted those ordinances. We learned after the meeting that, in fact, the Town intends to adopt those ordinances but hasn't yet adopted the ordinances. They've hired a consultant to draft the ordinances but they haven't yet been adopted by the Town so that's an issue that I think is not insignificant with respect to Section 8.

Section 9 also deals with a similar issue, sanitary sewer and water service. And in that section the changes, again, talk about the Town needing to amend its ordinances. The prior version as passed by the Town of this agreement said that the Town shall promptly pass these ordinances. The change we made here is to give the Town a deadline and say the Town will by June 1, 2008 amend its ordinances. In this case there are two State regulatory chapters, NR 151 and NR 216 that those ordinances need to comply with and those involve erosion control and other issues on construction sites. Those are issues of the planning department at the Village particularly, and if the Board members have questions Jean may be able to offer some insight on that, had specific concern about because this was highlighted I think at the open working meeting and again thereafter is that we can't just pass an ordinance that's going to go sit on a shelf and no one reads, but we have to develop a rubric here where the folks both at the counter in the Village and the Town are working collaboratively so that what gets done at one place is consistent with what gets done at the other place and so citizens aren't getting mixed messages.

There was some concern that presently the Town and the Village are not entirely on the same track with respect to that, and certainly this ordinance wasn't as written didn't further that process. It didn't necessarily hurt it but there wasn't any real staff input into the provisions of this ordinance, and one thought was made at the public meeting that the Village staff and the Town staff ought to sit down and figure out what the correct process ought to be and then it ought to be included particularly in this Section 9.

We did make a change to the proposed Section 9 that was passed by the Town of Bristol in subsection (b) 3. where it has previously said the Town Engineer will review the plans submitted by the applicant for compliance. We also require that the Town forward copies of those documents to the Village and obtain input from the Village regarding the submitted documents. Subsection 4. we also required some consultant with the Village by the Town.

Under Section 13 dealing with housing needs, there was a question raised about this second paragraph that dealt with various districts in the land use plan of the Town. And, in fact, the agreement that is passed out to you, of course, doesn't have any of the attachments on, and you'll see that the attachments to that are voluminous, about an inch and a half thick, and those attachments include the '97 agreement and lots of other agreements. What they also include is the land use plan for the Town of Bristol.

And the attachment in the latest version we have is not the latest version of the—it's incomplete. It's not the latest version of the land use plan for the Town of Bristol. That, again, is another issue that kind of needs to get worked out. But the Town of Bristol counsel did indicate he

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wasn't speaking definitively for the Town but giving his educated opinion that the Town would just as soon—they didn't need that second paragraph in Section 13. So that was taken out of this agreement which is not to say anything about the substance of what's in that second paragraph, but just that it wasn't necessarily required in this particular document.

As I page through this agreement that is substantially the proposed changes in the agreement. There were a couple of other issues that were discussed at the working meeting that did not result in changes to the agreement. One had to do with if the Town of Bristol were to incorporate a portion of its property into a village what is the impact of that on the agreement. And, in fact, the 1997 agreement gives Bristol certainly the right to incorporate, and in this agreement it says under the successors and assign section both the Town and the Village of Bristol if one were to occur in the future would be bound by any cooperative agreement. We didn't believe that a further change was needed to this.

So with that I will take any questions or other comments you might have about any of the versions.

Mike Serpe:

I do. I think you just answered my question but let me be sure. The 1997 agreement does not stop Bristol from incorporating.

Kevin Long:

Correct.

Mike Serpe:

Not that we're involved in a new agreement here or hope to get into a new agreement, does the failure of this coming to agree upon this having any effect on their incorporation effort now that we're entering into another agreement?

Kevin Long:

It does not.

John Steinbrink:

Other comments or questions?

Mike Serpe:

One other comment. In the three documents I have to agree with Kevin. I wouldn't want to agree on anything but continue working on the agreement until we can come to terms that are acceptable by Bristol and by the Village.

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Monica Yuhas:

I agree and I would like to see another public session and see members from Bristol's Town Board there as well as the public, because it wasn't very well attended back in September and that's my concern as a Board member voting on this. Not that there had to be a quorum, if I'm correct, Kevin, there didn't have to be a quorum for the Town of Bristol.

Kevin Long:

The statute does not specifically require a quorum. It requires that a public meeting be held, and this is one of those statutes obviously there's only been a handful of these cooperative agreements that have ever been entered into so there isn't much guidance given there. But nowhere in the statute does it say a meeting must be held and at that meeting there must be a quorum of both Boards. With that being said, obviously, it's better to have more public input than not.

Mike Serpe:

Are there meetings set up in the near future, Mike, between you and Bristol?

Mike Pollocoff:

I hope so. I agree completely with Kevin's analysis of this. I think that we do want to come to an agreement with Bristol. We've lived with the 1997 agreement for ten years and it served its purpose. The nature of development, the nature of what's going on in the area has changed over ten years. I think that for us to be able to between the two communities address the changes in State statutes that have occurred over time and be able to incorporate those so that the people who live in the Town of Bristol in that area that is close to Pleasant Prairie where we'd have responsibilities to provide Bristol with sewer to service those people, as well as storm water management is an important issue for the Village because in layman language we're at the bottom of the hill and everybody is higher than us.

We want to make sure that the Abbott project and anything in that area is not impacted by storm water. We need to get those ordinances into effect in a way that it doesn't hurt the property owners in Bristol so that they're not getting whipsawed between two different communities because we don't have a good process in line for them to receive the information they need. So I think that and my hope would be that they would want to continue to work on those plans and get that process down. This is a 30 year plan. We want it to work and we want to make sure that all the bases are covered and get that done.

Mike Serpe:

There's obviously an economic benefit to the Village of Pleasant Prairie for development of west of the Interstate and that area. Is there an economic benefit to Bristol to enter into an agreement with the Village that would benefit Bristol in the long run?

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Mike Pollocoff:

Well, yeah, I think there is. One of the economic benefits to the Village of Pleasant Prairie is that we've oversized our sewer facility all the way out from Lake Michigan to the Village, and as we submitted our designs the State requires that you size it for the ultimate service area. The ultimate service area almost goes all the way up to U. In our settlement agreement in 1997 Bristol agreed to pay for that oversizing charge. So that's an economic incentive to the Village. We want to be able to sell them the sewer service that we sized our facilities to handle and Bristol wants to be able to, again, sell that sewer service to that area as it develops.

So they would earn a sewer customer. They stand the opportunity for that land to develop and gain the tax base on it. I think that's their advantage. They're in a little bit different situation there because Pleasant Prairie is on both sides on the Interstate. The west side of the Interstate those businesses will provide tax dollars to Bristol Elementary and to Central High School, not Kenosha Unified. So anything we do over there and that helps them develop is good for all the residents, and it will be good for Village residents because Village residents will see their share of the property taxes. So if you can get all the stars lined up and everything working together I think everybody stands to win on this if you can proceed. I think development is going to occur. Their land use plan and ours does not call for residential development, it's commercial and manufacturing. Right now that's a fairly active component of the real estate market, the only one that is active.

Steve Kumorkiewicz:

Kevin, you mentioned something that Bristol didn't consider important on one of the issues, or there was a secondary issue. Are you referring to the Clean Water Act? Did they do anything about that, the ordinance?

Kevin Long:

I was not referring to that. No, I was not referring to the Clean Water Act. There are certain ordinances that they're required to have passed and they're in the process of updating their ordinances. I can't speak with perfect knowledge as to what the status of their ordinances is now. I can just tell you what was reported to me is that they're in the process of updating their ordinances and it may impact some of those issues. It was by no means an indication that they didn't think they were important in any way.

Steve Kumorkiewicz:

Okay, then I misunderstood that part. The other question I've got is . . . get water from the Michigan this side of the continental divide. If we have to provide sewer to them, to the Village, and right now we're going to provide sewer to the Town of Bristol, right?

Mike Pollocoff:

That's correct.

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Steve Kumorkiewicz:

So if we have to provide that then they have to pay for the oversizing of the line going there.

Mike Pollocoff:

They pay the oversizing plus the treatment expenses.

Steve Kumorkiewicz:

Now, where is the water coming from? It's coming from the Village side of the Des Plaines or they're going to take it from Lake Michigan because I've got a problem with that.

Mike Pollocoff:

The '97 agreement provided that the Village would also provide water in that area under our permit. In the intervening time there was an annex to the Great Lakes Charter which the State is working through and it's another item on our agenda that puts Bristol into a non straddling community status which means that water from the Great Lakes Basin cannot go into the Bristol Basin. The State Legislature has worked through a law that would—adoption of that compact that says for a community like Bristol they would have the opportunity to use that water assuming it all comes back. And it kind of goes back to the conditions that exist for the City of Kenosha. The City of Kenosha extends water beyond the subcontinental divide and it all goes back to Lake Michigan. That's the common sense solution to diversions is to do that. But on that new compact it's a little more difficult so it really depends on how that compact shakes out.

If in the intervening period that's not adopted or there's some subsequent change, Bristol is just going to have to do what they have to do. We can only provide the water to the extent that the State of Wisconsin will let us. Our initial commitment was to provide it and we would continue to provide it, but if the DNR will not approve a set of plans that brings water into Bristol there's really nothing we can do. Then Bristol would have to drill wells or find some other vehicle to provide water. That's going to be something that they would have to undertake. We really have no control or influence over that.

Steve Kumorkiewicz:

That water tower that we have right now in Prime Outlets, when it was built that was built according to a decision by the PSC to build that oversized to supply water to Bristol, correct?

Mike Pollocoff:

No, it wasn't. The tower by Prime Outlets that you're talking about only services the area west of the Interstate. It will serve some areas east, but the full build out of that area requires another tower to be placed on the east side of the Interstate only because if you think about that elevation of the land it rises significantly from the Des Plaines and there's the need for another tower in that

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area. We wouldn't put that in for Abbott or Uline well into—it would be a few years out before we generated enough demand. But Bristol would have to construct their own storage for the 660 acres that they can service, again, based on where they get water. And they'll need that whether they're pumping it out of the ground or they're buying it from us. For fire protection you're going to need elevated storage.

Steve Kumorkiewicz:

How much can we supply from that?

Mike Pollocoff:

Right now none under the current rule. But assuming that changes I believe we can provide them with close to a million gallons, 686 would have come back, that's how much sewer capacity we have, so the rest would be for fire flow. If there's a fire we have to be able to and they have to be able to provide service, provide sewer and water service and fight a fire at the same time. That's water that hopefully you don't use but you have to have it.

Clyde Allen:

Mike, if we have to provide water and sewer out there and there's a remnant Town left could we still be in a position where they could possibly not afford the water and put us in a bad position that way?

Mike Pollocoff:

If there is a remnant Town and they incorporate and the remnant Town exists, I think that's one of the questions that we probably in our staff discussions and with counsel we kind of ferret that out. Is the remnant Town economically viable to assume all the legal obligations between Pleasant Prairie and Bristol? Or, is the Village of Bristol could stand in its stead. I don't know. I think that's another reason why we probably need to talk some more.

John Steinbrink:

Other comments or questions?

Mike Serpe:

You're looking for a motion to accept one of the three, is that correct?

Mike Pollocoff:

If I could make a recommendation maybe in just the form of a verbal resolution to resolve that the Village staff and counsel continue to meet with the Town staff and Town counsel to resolve some of the open issues, work through the process between the two communities, come up with a process that's going to identify how the plan is going to be implemented and how the process is



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going to work and address some of the questions we have here with the ultimate goal of coming up with a plan that we can adopt and Bristol can adopt following another public hearing in both communities.

Mike Serpe:

Then my motion would read I recommend the Administrator and counsel continue working with Bristol and come back at a later time with an agreement that the Board can consider.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Any further discussion on the motion?

Steve Kumorkiewicz:

A decision is going to have to be made after the public hearing. We go to the public hearing first.

Kevin Long:

We go to the public hearing first and then the agreement can change after the public hearing and then the next step after the public hearing and the received comments is that at some point just like both people have to agree to a contract both Boards would have to pass the same words in the cooperative agreement. Then it would be submitted to the Wisconsin Department of Administration who weighs in as well and might ask you to make changes as well.

Steve Kumorkiewicz:

My concern is the people in Bristol get the improper information which I don't believe was given to them in the meeting in September.

Kevin Long:

Certainly more meetings will give more people information so certainly in something as important as this it probably is a good idea to develop some suspenders if you will.

**SERPE MOVED TO RECOMMEND THE ADMINISTRATOR AND COUNSEL CONTINUE WORKING WITH BRISTOL AND COME BACK AT A LATER TIME WITH AN AGREEMENT THAT THE BOARD CAN CONSIDER; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

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Mike Pollocoff:

Mr. President, if I could, on the agenda I would request that we move Item K up. Ruth Otto is here and she's not feeling well and she has another place to go so I'd like to be able to get her on her way.

Mike Serpe:

So moved.

Clyde Allen:

Second.

**SERPE MOVED TO CONSIDER NEW BUSINESS ITEM K; SECONDED BY ALLEN;  
MOTION CARRIED 5-0.**

**K. Receive and Consider Report on televising board and commission meetings.**

Mike Pollocoff:

Before I begin, Mr. President, there were a few comments that I'd like to address from citizens' comments on this project. From Bob Babcock, Sr., I appreciate your efforts in surveying other communities. This report was prepared by professionals in house. We didn't contract out the work. And with respect to Bob, Jr. and Alex's comments about the staff report, sometimes some of the staff work gets out really quick and sometimes it's evolving. Ruth and I were working on some of the aspects of this into the day. In fact, Vesna was putting the PowerPoint together right up until the meeting time. So what the Board has is my initial draft and then a final draft that we come out with tonight. I typically am not going to release materials unless I've got it to the point where it's complete for the Board to make their consideration rather than having incomplete documents that are out for review.

I just want to go over where we are with the multimedia system that we have to date. We have done some things since the budget started. We've upgraded the speaker system that right now is above all the people in the audience as well as ourselves. That was done as part of the energy efficiency work that was done in the building to insulate the walls and reinsulate the system. And as we did that we, rather than do that and then rip it all up when we put in speakers in the future, we went ahead and put those speakers in that was not a critical cost.

Microphone is an item that is out there. Microphone currently in use are these short gooseneck microphones that were purchased from an off brand manufacturer probably 17 years ago. Every now and then anybody who has been to these meetings sometimes the pickup pattern isn't true, it's not consistent. Sometimes we can be heard clearly or loudly or sometimes not at all. IT department is proposing that we take \$3,000 for 12 new 18 goosenecks from Shure who is a brand name, so we'd have five Board members, staff and one for the podium, and they're better microphones. In addition to that if you're up here you can see we have some cabling that's kind

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of in a bundle here. We'd be looking to replace that cabling and get something that runs better than that.

There's also an item for gates and compressors. Audio gates are just that. If someone is not speaking directly in the microphone the audio signal does not get past the gate. Side conversations or off the record comments or remarks because of the lower volume, not because somebody is talking off the record, are not overheard through the microphones. Audio compressors smooth out the audio signals. Gates and compressors for the 12 microphone are estimated to be \$1,000.

The audio recording. This is something we have done for \$750 and this was what enabled us to be able to create the recordings that we receive and get that up on the website. We get that up on the website, generally Ruth's people are pretty good about getting it the next morning. They get it up so if anybody wanted to know or read something that occurred in the *Kenosha News* they could go to the website and listen to the recording as it occurred.

Projector/screen/mounting hardware. The cost of a screen 108 inches by 108 inches would be approximately \$1,600 including mounting, hardware and frame. The screen would be behind the Village dais here so that people aren't looking from sides. Sometimes when you look from the side it's a clear picture. If you're sitting in the far back you might not get as good a look at it, but we felt having the screen behind the Board where everybody can look straight up at the screen would be the more rational way to look at it. The projector capable of handling video with computer image would be \$600. Ceiling mounting would be \$1,500 (sic). (Note: \$150 per report)

Video recording equipment, IT is recommending three cameras for the auditorium, two cameras to cover the dais, one to cover the podium and the audience. They're also recommending pan/tilt/zoom cameras with a remote joystick control. This is similar to what we use at the IcePlex. This allows for the entire operation to be handled by one operator. It cuts down on labor expenses and provides for a final product that's more superior than one remote camera can. The cost of the camera controller portion is \$10,000, \$3,300 per camera. The controller for the camera would be approximately \$1,300.

A computer source - PowerPoint. As we go through our PowerPoint projections sometimes it's just text to help people follow through. Sometimes it's maps or visual that somebody could see. We want to be able to integrate those PowerPoint presentations into the bigger recording and you want that to be done clearly. That's a post production item. And what we don't want to do is get that in such a way that it's being edited. It's not being edited for content. It's being edited to slide it in so that you won't see an image of the screen but you'll actually see the PowerPoint. The maps are fairly detailed and if it's just a video of the wall versus what the actual map looks like that's what this accomplishes. It requires a significant amount of storage. Storage is \$1,300. And I think we're still working on a price for post production work with PowerPoint.

One of the pieces of equipment is called a NewTek Tricaster. It's an \$8,000 box. We already have one at the Ice Arena and RecPlex and a replacement solution is needed at the RecPlex at a cost of \$5,800 so we couldn't manipulate that equipment around. A monitor is also

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recommended so that the person who is doing the work, joysticks, can see what's going on and what it looks like.

There's some minor items such as furniture and equipment rack that is \$640. Cabling is \$1,000. We don't have an estimate on power. Right now we don't have enough adequate power in the building, in the auditorium, to run the system. Since the screen would be behind us, we're recommending that there be small monitors placed for the Board at the dais so they're not looking backwards at the screen so they can see what's going on.

There have been questions about live broadcasting on Channel 25. We would need to install an origination point at Village Hall and we'd have construction costs and fiber. We're estimating that between \$6,000 and \$8,000. The other thing that's been talked about is videostreaming to the web. It's possible. It's a \$15,000 server plus \$4,200 a month in band width. The current estimate by IT is \$26,250 and that's not counting any streaming of anything to the web whether it be the audio broadcast or video. That's where we sit with the capital costs not including operations to do this.

I think there are some basic policies that we need to run through as we evaluate doing this. Trustee Yuhas has requested that I prepare this report dealing with the expenses associated with preparing and presenting video recordings of the Village Board and Commission meetings on Channel 25. We've gone through the capital report. We've been dealing with this concept since 2004 when the Village received access to its current PEG Channel 25. At that time there were significant deficiencies in the Village auditorium which was constructed in 1967 and we haven't made a lot of modifications to that over the years. Lighting, acoustics, sound, electrical sources were and continue to be deficient in varying degrees. There have been some modifications to the auditorium over the last ten years that have approved sound and acoustics.

The recommendation of staff and acceptance of the Board since 2004 was that the video and audio production of meetings should not diminish the quality of the information that is presented at a meeting. Village meetings present a significant amount of visual information that gives the audience and decision makers a better perspective on issues being considered.

Alex Tiahnybok indicated that we show County Board meetings on Channel 25. And if you've ever been to a County Board meeting or if you've watched it on Channel 25 it is not a visual meeting in the sense that you're looking at maps or plans or any descriptions. Its conversations back and forth between County Board Supervisors, seeing citizens' comments. By the nature of what the Village Board does it is at times a very visual process. The though process being that if we're going to do it, if we're going to tell somebody that you could see what happened at a Village Board meeting without having been there then it should represent everything that happened at the Village Board meeting. And that's really been the groundwork that identified the work that the IT Department put forward and what it would take to do this work from a capital standpoint as well as how we present a Village Board meeting on video.

During the 2008 budget process, the IT Department was directed to prepare cost estimates to produce recordings that will provide a view at home with the same picture, information and visual nuances of the participants in the meeting that they would see if they were there. Our attached

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report has us at \$26,250. The operational expense over a year for Village Board, Plan Commission, Park Commission, Recreation Commission, Board of Appeals, Board of Review, Community Development Authority would be \$10,000.

While it certainly would be possible to limit the coverage of video production to the Village Board meetings, a significant amount of consideration, public input and hearings occur on the citizen commissions that make recommendations to the Village Board. Anybody that sat at a Plan Commission meeting that's where the hearings are conducted. That's where the feedback from the community is received on any particular zoning or land division or land use issue. By the time it's come to the Board, the Board being in attendance at those hearings, has heard what the peoples' input is and what the recommendation from the Plan Commission is and they're making their decision.

I know that some people might diminish the impact or the input or value of the citizen commissions, but I think Pleasant Prairie has done something that a lot of communities don't do, and a lot of communities put Trustees or council members, whatever the City or Village, as completely staffed those commissions. In Pleasant Prairie we've chosen to put a lot of citizens on all the commissions. That's an important connection between what the citizens in the community are considering when they evaluate a proposal versus just having that happen at a subcommittee of the Board that would make a recommendation to the Board.

My recommendation for FY 2008 was not to fund video recordings of meetings. In the list of priorities for capital funding recording meetings did not make the list in my recommendation with our initial priorities of 1 through 20 being funded. And if you look at the—just to kind of refresh everybody's mind or concept, when we went through the budgetary process in the working session as well as the budget hearing these were the items and they're in alphabetical order, that show in 2008 what was getting funded. In administration we needed more voting equipment, assessing needed to update their database. You can see in 2009 in these departments we're not recommending anything or '10. It's down to here.

Fire rescue we had to provide new mobile and portable radio pagers. And, again, a lot of their items are being funded over this five year period. Information technology in 2008 critical was implementation for Sharepoint and replacement servers to replace our aging servers. But if we look to really in two different places—the multimedia updates, here I've got it in 2010. And in 2009 I felt these other expenditures again were more critical at least in the IT Department versus we've got \$30,000 for multimedia updates. Parks, ballfields, a mower, some ballfield amenities, redevelopment of Pleasant Prairie Park. Replace mobile radios for the Police Department, fleet additions, fleet replacement redesign dispatch and replace radio consoles.

So I guess my recommendation given all those was that the Village has made an effort through the newsletter, through the audio recordings that we're doing through the Board meetings. We have verbatim minutes. There is a vehicle for not just the Village Board but all commissions to be either heard in its entirety or see the recorded minutes that usually are a little bit different depending on what's said at the meeting and any side conversations. Those don't go in the minutes. But I felt given the needs that existed, and I think it was with the concurrence of the department heads, I know it was with the concurrence of the department heads at the working

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session and the Board at that time that we made our choice in allocating out the resources for the community that that capital expenditure was placed later in time.

The operational expenses will also be strained. if we were to do it now we would stop something else that we're doing in capital. We'd make a choice of something else we wouldn't do in capital. I think our capital is going to be strained this year for just the road paving we want to do which is well over \$200,000. The price of oil has gone up which means the price of asphalt goes up. If we want to expend \$26,000 that will get a couple blocks paved in a subdivision that wouldn't have been done otherwise. The operational expenses of doing this is also, again, outside the budget process.

We've already adopted a budget, and our operational budget is already going to be strained to some degree to accommodate the impact of the severe winter we've had. We've already incurred some significant expenses related to snow removal, both in overtime as well as in salt. The second shoe that drops in that is the road conditions. This winter has been particularly difficult on a lot of the roads in the Village and they're going to require substantial repairs this spring and summer as we get out of the thaw cycle that we're going to have to do repairs that we wouldn't have to do normally. While reserves are available to help cover expenses, my fiduciary responsibility to the Village Board is to identify and reallocate any existing funds within current operating budgets to minimize extraction of a bunch of more reserve funds. So to take care of those things that are being pushed we're going to find money as best we can within the existing budget which really crowds out the ability to bring in something that wasn't approved in the budget process to begin with.

For the current funding of Channel 25 services within the current budget year multimedia operations in the IT Department are funded through the general fund and the various enterprise funds. In FY 2007 the Village Board authorized a one percent franchise fee that would be placed on a cable bill for Time Warner customers. Time Warner cable would not agree to the charge because of the impending Cable Competition Act which would change how franchise fees are collected, calculated and distributed. With passage of the new cable bill the Village can no longer collect the franchise fee, but instead would be paid a five percent gross receipts payment for all services offered by cable companies prorated over the number of customers. We won't receive that from Time Warner until Time Warner makes an application to the State of Wisconsin for the Statewide franchise, and that might be in a few months but right now we're not going to get it.

The new legislation exempts the cable companies from paying any engineering review or plan permits for the construction within the Village. Those expenses must be absorbed by the municipality if they receive the gross receipts payment. Consequently, the new cable competition law requires the Village and all other municipalities to use those payments to provide services that support the construction and maintenance of the infrastructure installed by the cable industry. Any left over funds will be used to support the Village's multimedia operations. A first payment from AT&T for one month was \$28. As time goes on it is anticipated these payments will increase to at least cover the Village responsibilities that have been mandated by the Cable Competition Act and hopefully help fund other video operations.

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One of the biggest activities that goes on in public works and engineering are people who are wanting to work and dig in the Village right of way. The Village's responsibility under the locate laws of the State and now under the new cable law is that for the cable industry they get a free pass, and what they put into the ground is fiberoptic cables, and we have to go through and find out where our sewer and water and those things are and that's not the difficult part. The difficult part is that we don't have services in that area, or if we're planning on a street expansion, or if we're planning on relaying something we have to stop what we're doing and look down the road and then figure out where we're going to put something in order to make sure the cable company isn't damaged. They get first pick of where they're going to go and we've got to find another place to put them.

So the Cable Competition Act the buzz word was cable for you, cable for us, but it's really at the taxpayers' expense. The money that's going to have to be expended is work that's going to have to take place and we'll get what we get from that gross receipts tax but it's not what it was once.

One of the questions that was raised by Mr. Babcock was let's have the Kenosha Unified School District's students do this. I didn't contact Eric Olson, I contacted Mr. Joe Savaglio who is the guy in charge of Channel 25. Channel 20 for the school system doesn't use students for their cable work. They hire part-time people to do the work because the work is typically, such as ours, after hours. It's something they can't make students do because it's not during the school day or a project. They tried it and the end result was to pay part-time employees to come in and do the work. That's in essence, what we've budgeted for this project.

My recommendation on this is that the Village Board continue deferring the expenditure of capital and operational resources for video recording of Village meetings in FY 2008 and reconsider the expenditures again in 2009 when the financial resources of the Village are again prioritized. One of the things I want to bring back is we have had this discussion as part of the budget process and we made choices on what we wanted to fund throughout a lot of the departments in a big area and that's where that capital landed.

With respect to where Channel 25 gets their current funding, their current funding is not typically one-third, one-third, one-third. It's really based on what they do. Given the nature of the recording or the demand for services they might be someplace more than someplace else. So if we look at just the first two months of 2008 for Channel 25, we've spent 345 hours for our video technician's work; 33 of that has been spent for Channel 25 production, 33 hours; 127 hours have been spent for RecPlex support; 91 hours have been spent on general fund support; 26 hours on utility activities; 66 percent has been on external billables where somebody is wanting us to provide an ad for them or do some work and we bill for that service.

So in some piece the general fund does pay for something, whether it's loading information or the cafes or those type of projects. But RecPlex does demand a lot of video work and that's where the bulk of it's been. So based on where he's been is what the charge back is for those departments. We don't just do a blanket one-third, one-third, one-third. We do it based on where they actually spend their time.

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Will the Village residents have to continue to support this with property tax dollars? We budgeted as though they will hoping that at some point when the franchise and now the gross receipts tax works out that we'll get some assistance on that and I think that will cover the portion for Channel 25. The other ones are funded out of those budgets and I don't think that's necessarily a bad thing. There's been things that we've been able to do with Channel 25 that have helped as far as utilities go with garbage collection, fire department and recruiting members to be in the department, helping people understand what they need to do to vote. Those are positive things that help everybody. We get as much of this as we can. Some of those shows go on line on the Village's website where people who aren't cable customers have access to them.

That's the report and that's my recommendation. If you have any questions I'd be glad to answer them. And Ruth is here as well. Once you start getting into some of the questions as far as technical I'd just as soon have her up at the table.

Monica Yuhas:

Mike, I appreciate you putting the report together because after the last Board meeting I did have questions regarding the expense of the IT and also regarding KUSD students, because it does sound good having students do it at no cost. But now after the report I understand it's a capital expenditure and we do have to maintain our roads and we need to take care of the bigger capital projects. We are taking steps to be more transparent by putting the audio on the internet, by having the minutes at the Village Hall available if someone would like to listen to a CD or read the minutes once they've been approved. So we're taking a step. It may not be the big step that other people would like to see but we are getting there.

And hopefully by 2010 we can have everything on Channel 25, have all the Commissions, have the Board meetings. But right now with the price of the oil, the price of just filling the potholes, buying more salt for next year it's going to be tight. Just talking with other residents they would rather see their roads plowed, their roads fixed, their garbage picked up than watch a meeting on Channel 25. That's the consensus I've gotten in the last couple weeks just talking to Board members and Unified PTA members, different groups of parents even at different functions trying to get ideas as to how we could make the cost be less expensive for the Village to have meetings put on Channel 25. People say we think it's a great idea, Monica, but at what cost does it affect us as a taxpayer.

And I appreciate Alex and Mr. Babcock and Bob, Jr. for being vocal. Continue to be vocal. Bring your concerns to the Board. Hopefully down the road we'll be able to address those concerns and get it out there for you. But I hope you see that we are looking at numbers and we're trying to figure out what is in the best interest of the entire Village, what is best for the residents of the Village of Pleasant Prairie.

Mike Serpe:

I would never say that I would never be in favor of broadcasting the Board meetings. What I have said in the past is I think it is a boring broadcast, and I said if we do do it we're going to have to do it right. A statement was made I think by Mr. Tiahnybok that the Village may even



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have a studio set up. I just want to set that straight. As I understand it and Kris is here it's a green board that you stand in front of and it's computerization of a studio that we don't have.

I just want to bring something to the Board's attention, and I said this in the past that there's so many other things that need to be funded before we broadcast this meeting. Right now an incident happened in Somers Township last year that a trial is taking place in Racine County of a fatal shooting of a Sheriff's Deputy, Frank Fabiano, Jr. When I see that we would spend over \$26,000 on broadcasting a Board meeting of which if you took out the department heads, the *Kenosha News*, we'd have four residents in this Village Hall tonight. When there is a matter of concern in a neighborhood this Village Hall is packed. What I can see with the \$26,000 is our police officers on a road in a remote area, that same incident that happened to Frank Fabiano can happen here, and how I hope it never happens, but to have that on video in the squad cars would be absolutely beneficial.

One year ago, City of Kenosha, Officer Miller, wintertime pulls over a car for expired plates or a broken taillight, I don't recall which, pulls him over and the guy gets out of the car and starts shooting at the officer. And, guess what, the City of Kenosha has video recordings in the squad cars caught on tape. That didn't go too far in the trial. You can't argue visual evidence. When we're talking officer safety as opposed to the entertainment of some in the Village I'll go with officer safety. At some point in time when this Village has the wherewithal to broadcast these meetings I'll vote for it 100 percent if it's done right.

Clyde Allen:

There's three ways to make this happen. One, you can raise everybody's taxes, even those that don't have cable to help pay for this. And since a couple people have criticized heavily for tax increases here I don't think that's a very good idea. You could cut services in one or two areas to pay for this videotaping and I certainly wouldn't want to consider that because the Village taxpayers deserve the fine services they get. We've always tried to stand up to extremely high standards. Or, you can cut out what's already approved in the capital budget this year. Those that come closest, and I didn't know what your report was going to include so a couple are included, but I don't think you want to cut out anything like the fire and rescue mobile and portable radios, the police requested mobile and portable radios, a police squad car that comes close to the cost, parks department for a lawnmower. I don't think anybody would suggest removing these from the capital budget.

But when you look at some of the items that didn't make this year's budget, just as Mike had mentioned, the police requested in-car videos. That didn't even make it. The additional squad car; Parks needs a pickup truck; Public works needs a pickup truck; Public works needs a skid steer. They didn't even make the list. Somehow money just isn't there and I can't see spending it. I would love to see the day when we can broadcast these things live. I would love to see it. I've always been for it and I will continue to be for it but the money has to be there and it has to be feasible. And the quality of services have to always be there, and I certainly would want to make sure it's a live and good quality service because the standards we've always lived up to in this Village have been high and I don't want to make anything substandard, that's for sure.

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A comment was made and you say residents deserve to see this. Yes, I would love to see the residents—residents deserve a lot. I would love to see them get everything they possibly can get. But the first thing they deserve is fiscal responsibility, due diligence and accountability from the Board for what we spend and how much we spent money and what we spend it on. I mean we've been criticized this year for spending money lavishly. Some of the items that got cut from the budget didn't seem too lavish to me I guess.

So we did hold budget working sessions, several of them. Every department had their requests. They were scrubbed thoroughly by Mike and Kathy Goessl. They went over every one of them. They went over them again at the working sessions, the Board did, with every one of the department heads. Many hundreds of hours of man and woman hours were spent here discussing the budgets going over every single one of those line items. So it did get its due diligence. Some were recommended. Some got taken off the recommended list. Some were added.

The opportunity is yours to come to the next budget working sessions next year. Listen to what's in the capital plan, what's included, what's not included, and you can come to the next Board meeting for the hearings on the budget, speak on it, say what you'd like to see removed, added, whatever. You get your say at that point in time and we'll listen. But the budget was, indeed, given due diligence. Some of those I really have to wonder why you're really requesting this at this point in time when you heard the report last meeting from Mike about how much money we were going to spend because of the roughest winter we've spent as a Village in our history through salt, plowing and now road maintenance is going to be added onto the cost that they showed which was quite high last time. I just can't see and understand why we'd want to do it right now.

Mike Pollocoff:

I just want to add one of the things in the budget where we have a video technician, and we have a really talented video technician, this isn't just Channel 25 that he's working on. One of the things that the Village Board required is that new commercial developments have a video recording of their premises for crimes that occur and things like that. That is not easy work. People say, oh, you just put some cameras up. There's a lot more to it than that. That's the kind of things where he helps us get that outlined whether it's the Prime Outlets, the Target development going up. The Police Chief can tell you how much it helps to have a good video shot of somebody committing a crime in an area where we might not have a patrol car. And he's able to get that put together, make sure it's working right and then enhance it and make it work for the police department when they go out and look for that kind of work.

When we're in a position where we can fund those videos in the squad cars, and I agree with you that was one of the ones we wanted to put in, he's going to be one of the guys that's going to be able to make that system work for us, him and Ruth. We've really taken video work and the operations of what we do and get a lot for it. That kind of expertise and support out of our IT department, it shows really nice on Channel 25 when we can make a green piece of cloth nailed up against a wall out at the Prange Center just from a computer-generated set make it look like something that's incredible, but it's just a green piece of paper with a computer picture on it and

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Kris standing in front of it. So, again, that attributes to the work that he's able to do with some software that came with the camera.

So there are a lot of benefits that go with the people we've hired to run Channel 25, the people Ruth's brought on staff, that help operations day in and day out. It's not just everything you see on Channel 25 when you go on there. It's the things that they do for us in their operations every day.

Monica Yuhas:

And I just want to make one thing clear. When I asked Mike to do this report it was to answer citizens' questions and comments that have been made at previous meetings. It was in no way to diminish the needs for the police or fire department. It was to answer citizens' questions who come to meetings and they want answers. And that's why I asked Mike to do the report because certain citizens they come, they want answers, they deserve to have answers even if they heard it six months ago. If they need to hear that information again they deserve to have that information given to them again and that's why I asked Mike to do that.

Steve Kumorkiewicz:

I happened to think back as Mike mentioned about the surveillance in the shopping centers and shopping malls for protection of the people working in that particular business or whatever to facilitate the work of our police department. If I recall correct there were people . . . who were against that because it was going to cost the business money. But it's no problem spending money from the Village to put . . . to me we need . . . at this time. . . . for the 2009 budget there's a lot of priorities. . . . to me of people that say it's going to cost the business money to put in surveillance. That's for protection of the community, but let's spend the money to put in a video camera.

Myself I don't have Channel 25. I have high speed internet but I don't have cable in my house. I have high speed through Road Runner. I can read the minutes of the meeting. I can go to the website. I can do everything but Channel 25. How many people actually has Channel 25 or has access to cable?

Mike Serpe:

Just one last comment. I don't think anybody has to be convinced about the economic condition of this country right now and Pleasant Prairie is not escaping that by any stretch of the imagination. If you looked at the property sales last week in the paper it's the first time that I recall that Pleasant Prairie didn't have one property listed for sale. Now maybe they didn't make it through the Clerk's office or the County, I don't know but nothing was there. And the list of property sales was very small. The country is in a little bit of a problem right now and at some point in time it's going to affect this Village, and I think we have to take that into consideration when we start considering what we want to spend money on and for what reason.

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We have a developer here tonight that's going to ask for another extension. I'm sure we're going to get more of those in the future. Hopefully soon this will straighten out when the economy gets back, but right now before we start spending money for special interests it's not a good idea. I don't think one Board member including Mike, a super trustee, would object to broadcasting these meetings if we had the money to do so. I would do it in a heartbeat. But there are too many other needs that have to be satisfied before that comes.

Steve Kumorkiewicz:

Yes, I agree with you.

John Steinbrink:

Mike, I appreciate the time you expended on this. We answered the questions. We've done this over and over and that's the part that bothers me, it's been over and over. This is a non budget item. Your job entails doing a lot for this Village. I know what your schedule is. I know what you're working on. There's Abbot, there's Uline, there's matter within the budget that actually of importance. The economy not only of this Village, this community, this State hinges on a lot of what we're doing here in the Village. Utilities, the power plant, the revenues. Your schedule does not stop meetings and meeting with people. Sometimes it upsets me a little bit when some folks say he didn't get back to me right away on this. I don't know how much time they think you have in a day. I know it's nice when you can sit around and watch TV during the day like some folks and see what's on Channel 25 or the cartoon channel. I know your job is a lot more important than that and what you accomplish is a lot more important than that.

There are a lot of challenges here in the Village and you stay ahead of them. I don't know how many hours they want you to work or maybe you can work all through the night. We do that in Madison and that seems to work for us. That's a great thing to do when we work until 3:30 or 5:00 in the morning. Not the most productive. I appreciate what you do and I hope you continue to focus your energy and time on the matters that are really important to the taxpayers of this Village. So thank you.

Clyde Allen:

Nice comments, John. Mike, I guess I kind of delayed some of your work by coming in on Sunday and taking up your time but answering questions and a great report I appreciate how much material was in there. I really do. With that, I'd like to make a motion to receive and file.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve. Any other discussion on this item?

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**ALLEN MOVED TO RECEIVE AN FILE THE REPORT ON TELEVISION BOARD AND COMMISSION MEETINGS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

- B. Receive Plan Commission Recommendation and consider Resolution #08-08 to support amendments to the Village Comprehensive Land Use Plan related to the Governmental and Institutional land use designations.**

Jean Werbie:

Mr. President, I would ask Item C be taken up at the same time so I can make one presentation for both Items B and C.

John Steinbrink:

Okay, the Board concurs.

- C. Receive Plan Commission Recommendation and consider Ordinance #08-11 through Ordinance #08-14 to amend Section 420-126, relating to the I-1 Institutional District regulations, to amend Section 420-148 relating to Conditional Uses; and to consider several zoning map amendments.**

Jean Werbie:

Item C is the consideration of Ordinance 08-11 through Ordinance 08-14 to amend Section 420-126, and this is relating to the I-1 Institutional District regulations, and to amend 420-148 relating to conditions uses, and to consider several zoning map amendments.

Mr. President and members of the Board, on January 22, 2007 the Plan Commission adopted Plan Commission Resolution 07-03 to initiate the review of the I-1 Institutional District which may also include amendments to other sections of the Village zoning ordinance such as conditional use sections as well as definitions and other amendments to the Village official zoning map.

In addition to reviewing the Institutional District requirements and the maps, the staff also looked at the zoning maps in compliance with Smart Growth regulations and to provide that consistency between the Comprehensive Plan and the zoning map.

In general, as you know, Smart Growth requires that on or before January 1, 2010 all municipalities that participate in planning, development and zoning activities shall prepare, adopt and maintain a Comprehensive Plan and that that Comprehensive Plan needs to be the cornerstone for all land use decision making decisions in the Village in that all related ordinances need to be consistent with that Comprehensive Plan by January 1, 2010.

As you know, the Comprehensive Plan update is currently underway with Kenosha County. It's a three year process. We're about a year or so into the process. The plan serves as the master plan for the Village. As a result of re-evaluating our Institutional District regulations, the land use

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plan map which is our guide for development does require that we do make some changes not only to the district but the zoning map itself.

The first item then that we looked at is the Comprehensive Land Use Plan amendments. And what we did was we identified in looking at the Comprehensive Plan some of the corrections that needed to be made to the map from 1996. The first is to change the governmental and institutional designation which is shown on the land use plan. It's located at the northwest corner of Cooper Road and 85<sup>th</sup> Street. It's currently shown as the governmental or blue designation and it should have been placed into the upper medium density residential designation.

The second change was to change the upper medium density residential designation for that access road that leads into the Village's detention basin just south of 85<sup>th</sup> Street at approximately 43<sup>rd</sup> Avenue and that is also shown on the slide.

The next was to change the industrial designation that is shown on the land use plan that is located south of 116<sup>th</sup> Street and west of the CP Railway to the governmental and institutional designation, and this is to reflect the We Energies Utility substation.

Another change on this map is to change the low medium density residential land use designation that's located south of Springbrook Road and west of Highway 31 to a governmental and institutional designation. This is land that's owned by the Village of Pleasant Prairie just south of our compost site. So that covers the Comprehensive Plan changes related to the institutional district.

Then we looked at the zoning text amendments. Section 420-126 of the Village zoning ordinance related to the I-1 District is proposed to be amended and updated. The definition that we have identified for the institutional district is that it is intended to provide for areas which are under private or public ownership in where the uses for those areas are for public purposes or institutional purposes, whether public or private, and are anticipated to serve the needs of the community. No such district shall be established unless it's in compliance with a duly adopted or amended comprehensive, neighborhood or conceptual plan.

There were some changes that we also made to the district that related to power and heat generating plants. We wanted to make sure that they were clearly placed into the M-2 District where they're shown but not in an I-1 District. We've also identified that there are some conditional use standards that needed to be modified as it related to school auditoriums, gymnasiums and stadiums. We made a modification to the conditional use standards for veterinarian emergency service offices, and it is now allowed in the I-1 District with a conditional use permit in addition to the B-2 District.

And then also there was some confusion with respect to conditional use standards for such items as water storage tanks and towers, radio and television transmitting and receiving towers and microwave relay stations. All of these items are covered elsewhere in the ordinance. They do not need specific approvals. They are covered under the special exception provisions of the ordinance.

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So some of the other zoning map amendments then we looked at to reflect, again, that consistency with the Comprehensive Plan, the first area was at the intersection primarily of Dabbs Farm Drive, Highway 31 just south of 93<sup>rd</sup> Street. In 2007 the Plan Commission approved a Comprehensive Plan change at this intersection, and basically all of the land area that was originally identified as a B-2, Community Business District, that was placed into the I-1, Institutional District, but the corresponding change had not been made to the zoning map. Again, the purpose of this change is to make it so that the zoning map complies with the Comprehensive Plan change.

In those areas that are actively being farmed at this time we left the AGO overlay so that farming could still continue to be a use on that particular area until the property owner no longer desires to farm the property. In addition, the area that's south of Dabbs Farm Drive we placed that into the R-4, which is a residential designation, at this time, and until more advanced plans are shown at this location for a more dense residential use we are going to just leave it as a general residential 4 classification.

The next area that we looked at for that consistency is to rezone the Village owned property south of 85<sup>th</sup> Street and west of 43<sup>rd</sup> Avenue. Again, this was to remove it from the R-4 (UHO) classification and put it into the I-1 District. It's institutional land that's owned by the Village of Pleasant prairie.

The next zoning map amendments that we looked at were south of Springbrook Road. These include the Springbrook Cemetery, the City of Kenosha property commonly known as the old City landfill site, and a portion of the Village's compost site property. Again, right now they currently had a PR-1 designation, a park designation. We felt it was more appropriate to place it into the institutional designation to reflect, again, the Comprehensive Plan.

The next amendment I think really reflects a correction to the original zoning that was adopted by Kenosha County, and that is the Kenosha County Cemetery was identified as being in the A-1, Agricultural Preservation District, a farming district. And clearly a cemetery should have been placed into the I-1, Institutional District. Again, we're making that correction. It's also reflected as part of the Comprehensive Plan.

Also in your packets if you'd like to just take a look at it we do have a copy if you have any additional questions of the I-1 Institutional District which is Ordinance 08-11. I discussed this in more detail at the Village Plan Commission meeting. What we've done is we've gone through all of the permitted uses and the conditional uses and all of the accessory uses and we clearly defined their role in this district, and so we have distinct areas within that district for those types of uses. We've added some additional uses including some offices and clinics and some other uses that were not previously in the I-1 District. But as you go through that district it's set up identical to the format as to how the business districts were set up with the modifications that were made back in 2003.

So with that, Mr. President, there are two items for your consideration. The first is Resolution 08-08 and that is to support amendments to the Village's Comprehensive Land Use Plan, and this is related to the governmental and institutional land use categories. And then Item C which

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reflects Ordinance 08-11 through Ordinance 08-14, and these are amendments to the text and maps of the Village.

Mike Serpe:

Jean, the County cemetery on H, I know it's there, are they still burying people there?

Jean Werbie:

Not to my knowledge, no.

Mike Serpe:

It's been quite a few years, hasn't it?

John Steinbrink:

The last one was in the '60s.

Mike Serpe:

And as I understand it if a cemetery goes without a burial for 100 years or so it can be discontinued? Do we know that?

Jean Werbie:

I don't know that.

Mike Serpe:

Something I heard. I'm just asking.

Jean Werbie:

I don't know. I could check into it for you but I don't know.

Mike Serpe:

I mean it won't be discontinued while I'm on the Board, I can tell you that, but I was just curious as to when the last time there was a burial in that cemetery.

John Steinbrink:

That cemetery is one of the older ones in the Village and it has some of the unknown markers there.



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Mike Serpe:

With that, I would concur with Plan Commission's recommendation to adopt Resolution 08-08.

Monica Yuhas:

Second.

John Steinbrink:

Motion and a second for adoption of 08-08. Further discussion?

**SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION  
RECOMMENDATION AND ADOPT RESOLUTION #08-08 TO SUPPORT AMENDMENTS TO  
THE VILLAGE COMPREHENSIVE LAND USE PLAN RELATED TO THE  
GOVERNMENTAL AND INSTITUTIONAL LAND USE DESIGNATIONS; SECONDED BY  
YUHAS; MOTION CARRIED 5-0.**

Mike Serpe:

And also approval of 08-11.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Are we going to take these individual, Jean? 11 through 14 or do you want them inclusive of 11 through 14?

Jean Werbie:

I think you can do them 11 through 14 as one item. They're all interrelated.

Mike Serpe:

11 through 14 then.

John Steinbrink:

Motion by Mike, second by Steve, and that would include 08-11 through 08-14 inclusive. Any discussion on this item?

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**SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #08-11 THROUGH ORDINANCE #08-14 TO AMEND SECTION 420-126, RELATING TO THE I-1 INSTITUTIONAL DISTRICT REGULATIONS, TO AMEND SECTION 420-148 RELATING TO CONDITIONAL USES; AND TO CONSIDER SEVERAL ZONING MAP AMENDMENTS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

- D. Receive Plan Commission Recommendation and consider Ordinance #08-15 to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District and the non-wetland portions of the property would remain in the R-5, Urban Single Family Residential District on the property located at 11510 Lakeshore Drive as a result of a wetland staking being completed.**

Jean Werbie:

Mr. President and members of the Board, on September 11, 2007, the Village received an application from Mary Lampman and Sherry Kroger, owners, for a wetland staking to be completed on their property located at 11510 Lakeshore Drive in the Village. Their property is identified as Tax Parcel Number 93-4-123-293-0101 also known as Lots 26 and 27 of Block 12 of the Carol Beach Estates Subdivision Unit #2.

The Village received a letter dated December 10, 2007 from SEWRPC that indicated that the plat of survey corrected surveyed and correctly identified the wetlands on the property as field staked on October 4, 2007.

The field delineated wetlands of the property are proposed to be rezoned into the C-1, Lowland Resource Conservancy District, in accordance with NR 117 of the Wisconsin Administrative Code. The non wetland portions would remain in the R-5, Urban Single Family Residential District, with the LUSA designation. The property is also located within the shoreland of Lake Michigan.

The Plan Commission held a public hearing and recommended that the Village approve the zoning map amendment, Ordinance #08-15 as presented for the referenced rezoning.

Steve Kumorkiewicz:

So moved to approve. It was well discussed in the Plan Commission.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. Any further discussion on this item?

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**KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #08-15 TO REZONE THE FIELD DELINEATED WETLANDS INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT AND THE NON-WETLAND PORTIONS OF THE PROPERTY WOULD REMAIN IN THE R-5, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT ON THE PROPERTY LOCATED AT 11510 LAKESHORE DRIVE AS A RESULT OF A WETLAND STAKING BEING COMPLETED; SECONDED BY YUHAS; MOTION CARRIED 5-0.**

- E. Receive Plan Commission Recommendation and consider Ordinance #08-16 to amend Section 395-60 D of the Village Land Division and Development Control Ordinance related to the temporary termination of public streets intended to be extended at a later date.**

Jean Werbie:

Mr. President, Ordinance #08-16 is an amendment to the Land Division and Development Control Ordinance. The purpose of this ordinance amendment is to further clarify and create some very specific policy considerations for temporary termination of public streets that are intended to terminate in a cul-de-sac but are intended to be extended at a later date.

The Village Board over the past year or so has granted two variances in order to reduce the diameter of temporary cul-de-sacs from 150 to 100 feet. There were some other considerations that we have reviewed as a Village staff with developers over the past several years, and so we felt that it was appropriate to sit down and try to draft some more specific language to be placed in the ordinance as to how to deal with and treat these temporary cul-de-sacs. And the reason why they are considered temporary is because they are intended to be extended at a later date.

I know it was requested earlier this evening to determine how long is temporary. Well, I really can't tell you how long temporary is. In some cases temporary has been as short as six months, and at other times it's been as long as 10 to 15 years if you look at some of the more recent current subdivisions of the Village. The situation is if the economy is moving slow and subdivisions are not moving as quickly then the temporary could extend to a longer period of time.

It is for that reason we wanted to put together more permanent looking temporary cul-de-sacs in these subdivisions so that they don't exist, for example, without a turnaround, they don't have a gravel base, but the residents understand with the appropriate signage that they will be extended at some point in the future and that there are restrictive covenants to that effect.

So what the staff did in working with the engineering department is we put together some detailed recommendations for what temporary cul-de-sacs would include. The divider or developer shall dedicate the required right of way areas to the Village for future public streets within a development. For temporary, dead ended streets they shall also dedicate a temporary public street access and maintenance easement to the Village and conduct the temporary street cul-de-sac. Land for the temporary cul-de-sac shall come from within the development or outside of the

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development adjacent to that, but then easements would have to be acquired from an adjacent landowner.

Secondly, temporary public street areas shall be constructed to meet the Village specifications for a typical urban street cross-section profile except for a few exceptions. Temporary cul-de-sac right of ways for the pavement areas could be reduced to 100 feet in diameter; temporary cul-de-sacs shall not have a cul-de-sac planting island in the center; temporary cul-de-sacs shall not have curb and gutter installed along the cul-de-sac bulb; and temporary cul-de-sacs shall not have street trees planted along that cul-de-sac bulb.

The third point is that temporary cul-de-sacs shall comply with the required public improvement paving schedule. In other words, when the rest of the subdivision is paved as part of the phase 2 improvements the cul-de-sac is paved at the same time. The difference is that curb and gutter is not required around that temporary cul-de-sac. It will be up to the Village Administrator, however, that if the timing is very close by which they are going to be starting their next stage, for example, Creekside Crossing, they moved from one phase consecutively to the next one all within like six months to a year, so in that case those temporary cul-de-sacs were left as gravel because they're being finalized and moved into the sequencing of the project for the next stage in a very short time period.

Number four, temporary cul-de-sac street improvements shall be removed and the required street improvements shall be installed by the adjacent offsite divider or developer at the time of the future street extension.

Number five, temporary easement areas related to temporary cul-de-sacs shall be vacated by the Village Board when future offsite development completes the second phase of improvements. In other words, we don't want to see these cul-de-sacs vacated, the sides of the cul-de-sacs vacated, until such time as that road is extended, completed, inspected, accepted and dedicated.

The sixth point is that the owner or developer shall be responsible for the Village's cost to install street signs that indicate that the dead ended street is temporary and that the street is intended to be extended in the future to serve additional vacant lands. We've had all sorts of problems in putting up temporary type three barricades, with people parking vehicles at these dead ends, with people dumping things at the ends of the dead ends. So we do need to facilitate these turnarounds to be used for public vehicles and emergency vehicles, yet let the public know that at some point they are intended to be extended and they are not going to be dead ended forever. I'm not sure exactly what the wording on the sign will be but it will get them to understand that there are plans in place for these roads to extend in the future and it's part of the overall planning process of the Village so that there's no misunderstanding by residents who may move to that particular area.

Mike Serpe:

I think it's a great idea, Jean. I wish we would have done it years ago. What comes to mind is 32<sup>nd</sup> Avenue in Prairie Trails West, the northern end. There are barricades down there, but the barricades also have reflective tape on them, so any vehicle coming northbound on 32<sup>nd</sup> Avenue can see that there are barricades there and the street doesn't go any further.

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Putting in the temporary cul-de-sac is a good idea but no curbing, no plantings, nothing around it, somebody not familiar with the area may be having a little bit more to drink than what they should have had may just keep right on going and end up who knows where that's going to take them. So at the same time just for consideration there's got to be some type of no outlet coming into the street and some type of hash mark sign at the end indicating this doesn't go any further. That could be a relatively small but effective sign, just something to think about.

Jean Werbie:

I think as John, Jr. looks at these streets it will be no different than any other new street that is temporarily dead ended and is not going forward any further that he will sign it appropriately.

Mike Serpe:

And also, I think we discussed it, there's a possibility that when a developer comes forward and is asked or told to put this in that there may be a possibility that the two end lots may not be able to exist until that road does go through.

Jean Werbie:

It's something that they do need to look at, that possibly the cul-de-sac bulb could curve to the left or to the right, or he's going to have to make sure that those lots are much deeper so that they can still maintain some setback to that right of way to that temporary in order for the similar sit line setback to be present all the way down the street. So those are all considerations that they'll have to look at when laying out their subdivision.

Steve Kumorkiewicz:

I make a motion to adopt 08-16.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde. Further discussion?

**KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #08-16 TO AMEND SECTION 395-60 D OF THE VILLAGE LAND DIVISION AND DEVELOPMENT CONTROL ORDINANCE RELATED TO THE TEMPORARY TERMINATION OF PUBLIC STREETS INTENDED TO BE EXTENDED AT A LATER DATE; SECONDED BY ALLEN; MOTION CARRIED 5-0.**

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- F. Receive Plan Commission Recommendation and consider Ordinance #08-17 to amend Section 420-119 E(1)(e)[1] related to setback separation distances for special license uses in the B-2 District.**

Jean Werbie:

Mr. President and members of the Board, on January 28, 2008, the Plan Commission adopted Resolution 08-03 to clarify the setback distances to zoning district boundaries in the B-2, Community Business District. The proposed ordinance clarifies that the separation distance for any adult-oriented use allowed in the B-2 District shall be a minimum of 300 feet from any land area zoned residential, and this includes street and railroad right of way areas, and a minimum of 300 feet from the nearest lot line of any lot on which any school, church or daycare center for children is located or has vested rights to locate.

What we did was we sat down with our Village Attorneys and read through the ordinance, and it appeared that there might be a conflict within the language of the original ordinance. So we just wanted to make sure that it was very clear, exactly, what the setback and the separation spacing distances meant in that district. So the staff is recommending approval as is the Plan Commission for this clarification.

Mike Serpe:

Move adoption of 08-17.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

**SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #08-17 TO AMEND SECTION 420-119 E(1)(E)[1] RELATED TO SETBACK SEPARATION DISTANCES FOR SPECIAL LICENSE USES IN THE B-2 DISTRICT; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

- G. Receive Plan Commission Recommendation and consider Ordinance #08-18 to amend Sections 420-120 76 T and Y of the Village Zoning Ordinance related to the area, height and setbacks for primary and secondary monument signs.**

Jean Werbie:

Mr. President, on January 28, 2008, the Plan Commission adopted a resolution to have the Village staff take a look at the size and setback requirements for primary and secondary monument signs. Currently the area and height of a primary and secondary monument signs vary depending on the property in which the sign relates and how it abuts an arterial or non-arterial

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street. After our review and discussion the Village staff is recommending that these types of signs have a maximum size, height and setback that is not dependent on only the street that it abuts.

Primary sign amendment, the maximum areas is proposed to be 130 square feet per face except if located in the B-1, Business District, then the maximum area would remain at 36 square feet per face. The maximum height is ten feet except if located in the B-1, Business District, and then the maximum height would remain at four feet. The secondary monument sign amendment would be 24 feet per face. Maximum height is proposed to be four feet, and the minimum setback is proposed to remain at six feet.

The effect of the change on existing signs, most of our larger developments in the Village, whether Prime Outlets or the Shoppes at Prairie Ridge or some of the other developments we have that are upcoming we have taken very, very specific looks at those, and all of those developments are moving forward with planned unit developments. So we're re-evaluating all of the signage and the number of signs and the size of signs for all of those developments. So none of those developments are impacted by these modifications or changes because we have worked out some flexibility with respect to the signs based on the uses on those properties.

The situation is that if there are any signs that become nonconforming as a result of this requirement they would be legal nonconforming signs. If for some reason they become obsolete or their sign is modified to the extent greater than what is allowed by the ordinance then they'd become an illegal sign. But we basically just have very few because we have very little commercial development in the Village of Pleasant Prairie at this time. So we just wanted to make sure that wherever we're going in the Village that we don't want to have, for example, whether they've got a 4,000 square foot building but a sign that 160 feet, 16 feet high, that could be bigger in size and feel than the building that is actually even on the property. So we wanted to evaluate these as they move forward.

Again, if there are any businesses that have multiple buildings on a single property, they would go through the PUD process as well. So we felt this would not be a conflict or an issue. This doesn't affect most of the signs in the Village. Even the signs in the corporate don't hit the maximum that was originally outlined in the zoning ordinance so they meet with the guidelines of the ordinance as well. With that, the staff recommends approval of the changes that you have before you.

Monica Yuhas:

Move for approval of Ordinance 08-18.

Steve Kumorkiewicz:

Second.

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John Steinbrink:

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

Steve Kumorkiewicz:

Question to Jean. Jean, how tall is the sign for Boucher Ford on Highway 50?

Jean Werbie:

They are nonconforming. That's a sign that has been there even before Nudi Suzuki I think. That sign has been there for a number of years. And, in fact, my understanding is I thought that sign was going to be coming down and they were going to be doing a brand new sign. I think it's bagged right now with Boucher Ford. That's a tower sign and we don't even allow tower signs in the Village any longer.

Steve Kumorkiewicz:

Okay, they were complaining about the sign. Okay, thank you.

John Steinbrink:

Any other comments or questions?

Clyde Allen:

Jean, along 94 we have a development area that's full of a lot of businesses, things like that, banks and hotels. Will this be a problem for them?

Jean Werbie:

I'm not sure which area that you're referring to, but where the Walgreens is located and down where Chancery and Radisson are located, where the CDA property is located, those are all located within PUDs or PDD districts proposed, so greater flexibility can be introduced. Again, we do have some very specific guidelines on freeway oriented signs and who's allowed to have them and who's not. But we have allowed in the past at least on hotels that wall signage can be up a little higher, but we've not allowed them to have individual freeway oriented signs.

Mike Serpe:

That brings to mind, Jean, the Abbott A that's very high up in Abbott Park—

Jean Werbie:

100 feet high.



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Mike Serpe:

You know about it.

Jean Werbie:

I do.

Mike Serpe:

Not allowed here? Is that considered a sign?

Jean Werbie:

We did write a special exception in the planned development. Remember, they have a PDD. They have a brand new ordinance, and they are allowed to have one sign that if they choose it to be their Abbott A, some other type of logo, whatever they'd like to have they have that option. So they have a special provision in their PDD for it.

Mike Serpe:

Okay, thank you.

John Steinbrink:

No further comments or questions?

**YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER ORDINANCE #08-18 TO AMEND SECTIONS 420-120 76 T AND Y OF THE VILLAGE ZONING ORDINANCE RELATED TO THE AREA, HEIGHT AND SETBACKS FOR PRIMARY AND SECONDARY MONUMENT SIGNS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**H. Consider the request of Doug Stanich of DTS Ventures, Inc. for the properties generally located east of 63rd Avenue and north of STH 165 for a one (1) year extension for the approval of the Final Plat, Engineering Plans, Development Agreement and related documents for the first stage of The Courts of Kensington development including 36 single family lots and three outlots.**

Jean Werbie:

Mr. President and members of the Board, the staff has received a request from Douglas Stanich, DTS Ventures, Inc., for a one year extension to satisfy the conditions of the final plat approval that was originally considered by the Village Plan Commission on September 24, 2007, and it was approved by them subject to a number of comments and conditions to be satisfied. In addition, the final plat, engineering plans and related documents are subject to any other

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ordinance changes or amendments that may come to this Board between now and March of 2009. In my conversations with Mr. Stanich it has been very difficult at this point in time for lots to be sold, single family lots in particular, and he feels that this is not the right time to bring a new subdivision into the market and would like to have an extension of up to one year in order to move forward with his final plat. Mr. Stanich is in the audience if you have any questions for him.

Mike Serpe:

Doug, I certainly hope in a year you can maybe get this thing going. I know other developers are experiencing the same thing you are. It's just not a good scenario right now in the country. With that, I'd move approval of the one year extension.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde. Any further discussion on this item?

**SERPE MOVED TO APPROVE THE REQUEST OF DOUG STANICH OF DTS VENTURES, INC. FOR THE PROPERTIES GENERALLY LOCATED EAST OF 63RD AVENUE AND NORTH OF STH 165 FOR A ONE (1) YEAR EXTENSION FOR THE APPROVAL OF THE FINAL PLAT, ENGINEERING PLANS, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR THE FIRST STAGE OF THE COURTS OF KENSINGTON DEVELOPMENT INCLUDING 36 SINGLE FAMILY LOTS AND THREE OUTLOTS; SECONDED BY ALLEN; MOTION CARRIED 5-0.**

**I. Review and consider Chapter X, "Housing Element" of the Multi-Jurisdictional Comprehensive Plan for Kenosha County.**

Jean Werbie:

Mr. President and members of the Board, this is another chapter, Chapter X, Housing Element, for the Multi-Jurisdictional Comprehensive Plan for Kenosha County. The housing element is one of the nine elements as required as part of that Comprehensive Plan. The housing element is used in this chapter to assess the age, structural condition, value, occupancy characteristics of existing housing stock in the County and participating local governments. In addition, this chapter sets forth specific policies and programs that need to be identified which promote the development of housing for residents of the County and provide a range of housing choices, promotes the availability of land for the development or redevelopment of affordable housing, maintain or rehabilitate existing housing stock.

The chapter is broken down into four different parts. The first is the inventory, the second is the description of government programs, the third part is information on community policies and

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ordinances affecting housing, and Part 4 sets forth housing goals and objectives to the plan design year of 2035.

Part 1, inventory. The characteristics of existing housing stock in the County have been inventoried to determine the number and the type of housing units that will best suit the needs of the County residents. There is a good listing here that identifies the existing housing stock inventory. What I do want to bring to your attention is the fact that most of the information in this particular chapter is from the year 2000, which is I believe a little problematic but it's the best available data that we have from a census. There is some information with respect to housing conditions and total housing units. Those types of things will help us to facilitate a projection forward into what we have and what we're going to have. But, again, we're almost eight years out from what the original census has shown us, so we will have to make some assumptions as we move forward and so will SEWRPC.

There's a number of tables, one of which talks about the housing units by tenure. Again, information is from the year 2000, but we are looking at different things and projecting it forward as we look at housing unit vacancy rates and rental vacancy rates as well. The chapter has a table that talks about values for owner occupied housing. As you can see for Pleasant Prairie it says that the average value is \$159,000 plus. So, again, having that be almost eight years old it's a little bit low but, again, we will work with the numbers we have and the projected numbers we're putting together to project ahead.

The chapter goes into median monthly costs, what it costs to rent in the community as well as the County, what does it cost to have a mortgage, what the mortgage ranges are and what percentage of your income should be paying for housing costs. And what they have determined is that up to 30 percent of peoples' income is being used for payment of rental or for mortgages for housing. As those costs continue to go up for housing we need to recognize that there could be some issues as the population continues to age that they may not be able to afford housing within our community or other communities within Kenosha County. And this talks about the monthly gross rent within Pleasant Prairie and the other communities.

Something else that they are examining is the structure type and the year that it was built. Obviously the older the housing stock the more you will need to design programs to look at housing codes and rehabilitation of existing housing. We have a relatively newer community with respect to a lot of newer housing but, again, the quality of the housing that is being built will help to determine how long that housing stock is actually going to last into the future.

Our Village Assessor works in Pleasant Prairie and a number of communities in Kenosha County, and he has come up with ratings of the value of the housing units. 74.5 percent of the housing units in the Village are good or very good or excellent condition; 24.6 percent are rated as average or fair; and just .5 percent have a poor or very poor condition in our community.

The other thing that they want us to look at is housing demand, and housing demand inventory items are listed on the screen there, and they go into some detail with respect to all these different aspects or factors that determine housing demand.

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Mike Pollocoff:

We thought if it would be worthwhile to do a specific update on demand. The real estate market in 2000 is vastly different than the market in 2008. I know they want to rely on the data that they have, but to look prospectively ahead for housing based on eight year old numbers in a real estate market that's a lifetime. I don't know that without some additional analysis or evaluation of what we're in now it's not going to resolve itself simply and I think it's just not going to give this chapter any real meaning.

Jean Werbie:

I think that they recognize that there are peaks and valleys with any type of housing or any other type of factor in the economy. And so while they realize that we've really been riding a high for the last eight years, they recognize the fact that some of this information is outdated. Again, what we're trying to do is have them introduce some more current information wherever they can.

One of the other things they've asked each community to do because of that is they've asked each community to pick a design year population from their low, intermediate to high population and to pick a total housing unit count that you would like to target in your community based on full build out. So we, in fact, are looking at that and are now kind of moving backwards through the process. So in Pleasant Prairie we are kind of taking this information and refining it and looking at it specifically for us. And if we can look at housing demand information and get more specific information for Pleasant Prairie we intend to do that over the next year.

Mike Pollocoff:

I think you need to do that because otherwise there are peaks and valleys, but the problem is if you look back to the last eight years there is no valley. It's just constantly increasing. And if the report stops there in the valley and the valley is coming, we don't have any indicator of the breadth and scope of how deep that valley is going to be. To me if we do housing demand and we stop at 2000 and any information going forward in Kenosha County it's a whole different world what we've seen over the last eight years. We can do that in our plan, but I think as far as the County's Comprehensive Plan Rocco can tell you about everything out west and it's to assume that we're not going to address what we're dealing with now and the plan just kind of strikes at the validity of it.

Jean Werbie:

They are making some assumptions as I'm looking at this list. For example, household size, in Pleasant Prairie right now our persons per household is 2.73 based on the 2000 census. And they are projecting that that number is actually going to start going down right after the end of the decade and that's probably the case. More of the kids are moving out and we've got more baby boomers left here and there's singles that are going to be coming in based on the jobs that we're attracting and such, and so they are making assumptions that that persons per household is going to be going down in Pleasant Prairie.

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With respect to affordability information we have better, more current information, 2006, for population's income, per capita income. We have newer information that Rocco provided on the cost of housing, the rent of housing. So we do have some things that we're using and projecting, and they actually did project some information to 2006. So not all of the data is going to be available to us but some of it is as you go through the chapter projected to 2006.

One of the other things especially is housing facilities. What we have today and what we're going to need to have based on the projection of baby boomers and others over the age of 65 I think we determined that we're going to increase by 17,000 people over the age of 65 by that year. So we know that we need to make sure that we deal with specialized types of housing that address the needs of the aging population. So you have to kind of look at it from a global perspective that there's a lot of things that we do need to look at, not just the numbers, because if we just face value look at some of the numbers they just don't make sense anymore because we're just so far removed from that.

Mike Serpe:

When this report was compiled we had a number of rental units. Was Meadowlands involved in that?

Jean Werbie:

Yes.

Mike Serpe:

And that's going to disappear in favor of single family ownership.

Jean Werbie:

Right. I mentioned that to them on Tuesday of the fact that our vacancy rate for rental properties fell right within the guidelines. But now we have very little rental property available so that's something that we will need to look at a little bit more closely. They also didn't really acknowledge condominium units or manufactured housing the way that we would like to see them reflected. They've now changed and added tables and additional documentation because we seem to have a lot more of those types now that there's been at least two project conversions. So from our standpoint, again, those aren't rental properties and they would probably say at the conclusion that we need to have greater rental in the Village or in the area.

Mike Serpe:

Just one other question. When we adopted the change from apartments to condominiums, even though the change has been accepted that doesn't mean that all the units are going to turn into condominiums until all the renters are eventually gone which could take quite some time.

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Jean Werbie:

That's true. And actually what we're also doing is because of the size of the units it's rather affordable housing that we're creating. I thought I heard a number of about \$95,000 to start for at least the Courtyard project which is rather affordable for a two bedroom condo, one car garage. But there are some opportunities gained and lost by going from rental to owner occupied. But, again, we are creating owner occupied affordable housing. We'll be looking at all that as part of the Village plan.

Mike Serpe:

The plan would reflect all single family homes on those ones that we converted to condos, though, right? It wouldn't reflect rentals even if there are a number of them being rented? They're going to be considered condominiums because they're single family units.

Jean Werbie:

They wouldn't be considered rental any longer.

Mike Serpe:

From this point forward.

Jean Werbie:

When we do our plan for Pleasant Prairie which probably we're going to start later this year, we will contact them to find out exactly where they are in the process and where they think they're going to end up. Lexington I think is about 90 percent converted and closed. I think there was ten so far that were committed for Courtyard Junction. Again, whether or not that will move as quickly or they'll keep a percentage of rental for a longer period of time that's a possibility.

As I mentioned, monthly income spent on housing, again, in Pleasant Prairie for owner occupied with a mortgage it's just under 21 percent and for renter occupied about 23 percent. Household income, the median household income it talks about, again, dating back to '99, some of this information is old but it is a little relative, they did do some projections up to 2006. It talks about having incomes and what could be afforded for a single family home.

The chapter talks about housing facilities for seniors. There's some new tables that were introduced into the chapter. Some of our senior housing that was shown originally in the City of Kenosha is actually in Pleasant Prairie so our numbers increased since the last time you saw this chapter or the Plan Commission saw the chapter so they've made those corrections. I think that the statement that the percentage of residents 65 years of age and older is expected to increase from 11 percent to 16 percent of the County's population and up to over 34,000 persons. That's significant. I think that we need to be thinking about that more clearly when we're looking at approving some new developments and where we think that the residents are going to live.

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The chapter also addresses housing facilities for persons with disabilities and that those numbers are on the increase as well. They are in particular higher in Kenosha County than anywhere else in southeast Wisconsin and that we need to continue to look at facilities that address those needs as well.

For household projections, the number of additional housing units needed by the design year is determined by selecting a population projection and that's what I mentioned earlier, that we have selected a population projection and that we're working our way backwards with respect to the total number of housing units and what we would anticipate to grow in the Village each year between now and 2035.

Part 2 of the chapter talks about housing programs for Kenosha County and all the different types of government sponsored programs that are available and funding that is available from the federal government and the State government. It goes in great detail of all those programs.

Part 3 is the community policies and regulations affecting provisions of housing. It talks about the details of all the different zoning district for the all the communities in Kenosha County. In particular, there is a table in there that talks about the Village of Pleasant Prairie and what each of our districts allows for and the sizes and what type of neighborhoods that this density will encourage. In the final part is the housing goals, objectives, policies and programs. It sets forth the policies and the steps and actions, as well as the goals and objectives, to accomplish this housing element section. The specific housing issues that have been identified are the supply, quality, cost, addressing the needs of aging and disabled population, household size, housing distribution and fair housing. And the number of goals that are set forth address each of these points.

There are a couple of policies under the goals that needed a little bit of work and we talked about some of those at our last meeting on Tuesday and we made some corrections at the public meeting. Any others that we feel are necessary to be modified or changed we will send to them so they can work it into the chapter. I think most of their goals, policies and objectives work for the Village of Pleasant Prairie. There are a couple of them, again, that I would like them to address and they're aware of those.

In summary the first three parts of this chapter provide inventory information on existing housing stock and housing demand including affordable housing needs and assessments, a description of government housing programs and information on community policies and ordinances that affect the type of housing permitted in a local government. A summary of the inventory information is all provided in this chapter. With that I would recommend that the Board approve this chapter.

John Steinbrink:

Jean, Mike brought up the very good point about the trend and what's happening. That should be footnoted or something at the bottom of the page that at the time we're looking at this there is a change?

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Jean Werbie:

Yes, and I already brought it to the attention of the Commission that we were concerned about that. I think most of the communities were concerned with that as well. It's an unfortunate thing that we need to get this thing done by 2010 and 2010 is when the census is going to be completed. But, again, the detailed information won't be available until the end of 2011 anyway. I mean every five years we should be re-looking at our Comprehensive Plan if not more often just to make sure that we still are on track and it still makes sense.

Steve Kumorkiewicz:

I have a question for Jean. Jean, I notice in the assisted living housing we have . . . . Pleasant Prairie . . . .

Jean Werbie:

That was one of the changes that I made. Actually they had St. Joe's and they had Alterra Wynwood in the City so I've made all those corrections with them already. This was the chapter that they had sent to us and I made those changes on Tuesday last week with the Committee.

Steve Kumorkiewicz:

Thank you. I make a motion to approve.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. Further discussion, questions?

**KUMORKIEWICZ MOVED TO APPROVE CHAPTER X, "HOUSING ELEMENT" OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR KENOSHA COUNTY; SECONDED BY YUHAS; MOTION CARRIED 5-0.**

**J. Consider Engineering Services Agreement with Clark Dietz, Inc. for the Sanitary Sewer by-pass line for the Sewer D decommission.**

Mike Pollocoff:

Mr. President, before you you have a memo from Mike Spence, our Engineer. And he received proposals from two firms, Nielsen Madsen and Barber and Clark Dietz for providing surveying and easement preparation services for the sewer line that's going to come from Sewer D over to the Lakeview Lift when we abandon that treatment plant. In evaluating the proposals Mike is recommending that it go to Clark Dietz. They were \$5,500 lower in their fees. They did work for



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us and they're a competent firm. Total project cost is estimated at \$30,000 for the work provided. Mike, do you have anything you want to add to that?

Mike Spence:

Mike Spence, 8600 Green Bay Road. This is really the first step in proceeding with design of the sewer bypass for Sewer D, and it's really a necessary step to get the survey done so that we can get the right alignment for that and also really keep on track with the time schedule for decommissioning Sewer D. As Mike said, I did get a couple proposals and they were both very technically sound and Clark Dietz was less expensive.

Mike Serpe:

Is expense the utility expense or a capital expense?

Mike Pollocoff:

It's capital in the utility.

Mike Serpe:

Capital out of utility.

Mike Pollocoff:

It's part of the overall abandonment plant. That plant will be abandoned in New Year's Eve 2010 and not a minute sooner.

Mike Serpe:

I'd move to grant the award to Clark Dietz.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion or questions?

**ERPE MOVED TO APPROVE AN ENGINEERING SERVICES AGREEMENT WITH CLARK DIETZ, INC. FOR THE SANITARY SEWER BY-PASS LINE FOR THE SEWER D DECOMMISSION AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

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**L. Consider Resolution #08-09 - Resolution in Support of SB 523 for protection of water resources for the Great Lakes.**

Mike Pollocoff:

Mr. President, this resolution comes before you to secure Village Board support for SB 523 and that's a law that's being proposed out of the Senate for the protection of the water resources of the Great Lakes. What it does, and we talked about this earlier, it identifies what areas in Wisconsin are going to get Lake Michigan water, the conditions, the methods of approval for it, and the law has to be approved by the Assembly and the Governor to be part of the charter.

Lake Michigan, if you think back even this last summer some of the water problems we had in southern parts of the country, we've got a resource that's incredible. We have the ability, we've spent literally millions of dollars to abandon wells that were contaminated with radium, provide sanitary sewers that are going to take water back to Lake Michigan as we bring water out, and that last agenda item was really one of the last steps we're going to take to fully complete the abandonment of discharge water to the Des Plaines basin that comes out of the Mississippi River basin.

President Steinbrink in his capacity in the Assembly has done a lot of work on the natural resources committee. They've been working on this for a long time and I know there's a lot of people who would just be happy to see this water go all the way out to La Crosse. But defining an area where water can come out and go back I think is important for the State and the compact.

The Village of Pleasant Prairie in all actuality we already have a permit to divert and we're going to end that diversion in 2010. We could just sit there and say, well, we've got ours and we're going to be able to do this no matter what. But I think if you look at this from a public policy perspective, and think this is why this is a good resolution to adopt, it's important that the resource be protected, that the water not go that far beyond the basin where it can't be returned so that we keep the water we have here.

My experience in other communities out west is the communities that need water will pay whatever they have to pay to get the water. In Colorado there's communities that run a couple hundred miles, tunnel under the continental divide to get the water. In Oklahoma we pumped water from 150 miles away, up 600 feet in elevation. A third of it would evaporate it when we dumped it into a lake and we were glad to do it. If the resource isn't protected at some point the balance in Congress is going to change and where now there's an unwillingness to take water out of the Great Lakes there may be a willingness to do it.

I think it's important that this law get adopted and the resource gets protected even though we technically wouldn't need it. But I think it's good public policy to ensure that the Lake Michigan water resources are protected. So it's my recommendation that Resolution 08-09 be adopted and forwarded to our Governor and the Wisconsin Assembly for our support of SB 523.

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Mike Serpe:

A note on what you just said, Mike. I heard something, and I don't know when I heard it or where I heard it from, but Lake Mead in the Las Vegas area is like 32 feet down. Is that right?

Mike Pollocoff:

Right, yeah.

Mike Serpe:

32 feet. There's a problem.

Clyde Allen:

Motion to approve Resolution 08-09.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve. I had the privilege and the honor to serve on the Great Lakes task force and we did look at this agreement. Unfortunately there was an impasse because there are areas of the State that want the availability to this resource. And unfortunately to honor that request would put us in conflict with the agreement as it now is written. Right now by improving this agreement it keeps the oversight of the Great Lakes by all the States surrounding it, Wisconsin, Michigan, Minnesota, all around the basin, New York and the Canadian Provinces.

If we don't reach an agreement on this odds are very good it's going to go to the federal jurisdiction and be acted upon by Congress and the courts. That is not in the best interest of the Great Lake states. We are outnumbered. Legislation is not only the southwest but it's the southeast also that's in need of water. So we need to get this agreement passed. It's probably of the utmost importance for the economy of our State especially.

States take a very active role right now in what's happening around the Great Lakes. States like New York that utilize the Great Lakes for they hydroelectric dams producing millions of dollars in revenue. The slightest change in elevation of the lake water they know what that means to their economy, shipping throughout that area. Canadian Provinces you heard about the scouring through the Detroit or the basin there. Everybody is watching it and we need to make sure we act on this in a timely fashion and get it forward.

Wisconsin did a lot of work on the agreement beyond what a lot of other states did. We're actually ahead of the game. Once again, the conflict was the Cities of Waukesha and New Berlin they need access to this water. However, by granting that there's the manner in which they want

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to receive it that puts us in that conflict. So we don't want that to happen. Any support we can get from communities bordering the Great Lakes to convince the State Legislature to move ahead and approve this is greatly appreciated.

The Governor is on board. There are some roadblocks out there. People have said they're not going to bring this Bill forward until the impasses are done, but that's not going to happen. If we were to make those changes the other states would right away disagree with us and the compact would not move forward and we would lose a lot more than whatever we could gain. There are other remedies for these communities. Unfortunately they were not pursuing this in a timely manner over the years they should be doing this. And at the last minute they want to make changes that's going to make them whole and it's not a reality. So I encourage us to adopt this resolution.

We have a motion and a second. Further discussion?

Steve Kumorkiewicz:

A question for you, John, is that . . . County the one that wants the water from the lake?

John Steinbrink:

Right.

Steve Kumorkiewicz:

And all these problems is due to them?

John Steinbrink:

Right.

**ALLEN MOVED TO ADOPT RESOLUTION #08-09 - RESOLUTION IN SUPPORT OF SB 523 FOR PROTECTION OF WATER RESOURCES FOR THE GREAT LAKES; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**M. Consent Agenda**

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

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

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## **9. VILLAGE BOARD COMMENTS**

Monica Yuhas:

Mr. President I have one, a quick comment. Yesterday, Sunday, March 2<sup>nd</sup>, I worked the indoor triathlon out at the RecPlex. After doing the Danskin and Outdoor triathlons it was quite interesting to see how they do an indoor triathlon. It was well attended, about 72 participants. I worked the pool in swimming, timing laps and counting laps. It was well attended and the athletes were most appreciative of the effort and they had nothing but nice things to say about the facility at the RecPlex. I just wanted to share that.

Mike Pollocoff:

We were only three short of our max, 75 is the most we can do.

Steve Kumorkiewicz:

We have the . . . coming the 29<sup>th</sup>, too.

John Steinbrink:

Other Board comments? Just one thing. The State Tourism Conference is now going on out at Lake Geneva. The work that the Village is doing as far as tourism in this area is well known. Events such as the triathlons are actually known throughout the State and a lot of people are looking at what we've done here and the success. These are all valuable things to bring more economic financial reward into the community. I have to commend Dennis DuChene of the Visitors Bureau for the work they've done.

When you start looking around the State everybody in tourism has heard it and there have been cuts of tourism budgets as far as promotion dollars, gem grant dollars, other things that really help communities move ahead in the tourism business and actually help the local economy. So they decided that it's important that we make sure everybody knows the importance of tourism in their community because most people don't realize the financial impact it has. Usually for every dollar spent on tourism the return is many, many times over more. It's an eye opening experience to sit there and listen to this and understand what a good position we're in because of the dedicated people and the hard work and the forward thinking on putting this community on the map. It's already paid dividends to us. Other Board comments?

## **10. ADJOURNMENT**

**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KUMORKIEWICZ;  
MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 9:20 P.M.**