

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
LAKE MICHIGAN SEWER UTILITY DISTRICT
9915 39th Avenue
Pleasant Prairie, WI
October 5, 2009
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, October 5, 2009. 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 Michael Pollocoff, Village Administrator; Tom Shircel, Asst. Zoning Administrator; Paul Guilbert, Jr. Fire & Rescue Chief and Jane Romanowski, Village Clerk.

1. CALL TO ORDER

John Steinbrink:

I see in the back we have a special guest with us, Cyrus Procarione. If Cyrus would lead us in the Pledge we'd be honored.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PRESENTATION OF FUNDS COLLECTED LABOR DAY WEEKEND BY THE FIRE & RESCUE DEPARTMENT TO THE MUSCULAR DYSTROPHY ASSOCIATION.

Michelle:

Good evening. My name is Michelle and I'm with the Muscular Dystrophy Association, and I'm extremely happy and honored to be here this evening. The Pleasant Prairie Fire Department did an excellent job on our 2009 Fill The Boot Campaign. The whole department rallied together, and they went out there and hit the streets with their boots to try to help raise money for Muscular Dystrophy Association.

Our Association helps children just like Cyrus that are living with a neuromuscular disease. There are 43 neuromuscular diseases and we don't have a cure yet for them, so MDA is hoping and working really hard to help find the cure. And we do a lot of other things like fund research, give flu shots, we do support group sessions and such and we have MDA summer camp which is right here in Kenosha County. Did you have fun in summer camp, Cyrus? What's your favorite part about summer camp? What's your favorite part?

Cyrus Procarione:

Fishing, arts and crafts and the girls.

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Michelle:

And the girls. And Jim Procarione is here, Cyrus's Dad as well, and if you just wouldn't mind talking briefly for one minute, Jim, in regards to how important it is to the families of the children that we serve for the funds that people like the Pleasant Prairie Fire Department raised for us. Jim?

Jim Procarione:

Thank you. First of all I'd like to thank all the firefighters of Pleasant Prairie for coming together, the Chief for allowing them to come together and help. There's no way we can take care of all these kids on our own. We definitely need the funds. We need the help. It means so much to all the families who deal with children of neuromuscular diseases. So I'd like to thank all of you for letting us have a minute here tonight as well. Thank you very much.

Dustin Ellis:

If you remember last year we came here and we were only out for one day last year. We collected a little over \$10,000 in one day, six hours. And that was very, very good for what we were out there for six hours. This year we were out for two days, four hours each and got a little over \$17,000. We'd like to present Cyrus and the MDA \$17,729.14.

Michelle:

We want to say as well that the Pleasant Prairie Fire Department had the highest per capita on the amount raised per member. That's pretty much official. So I know Dustin was really looking forward to finding out what it was, but it's over \$1,000 per member which is just outstanding, and they really did an excellent job. Of course, Dustin was a very big lead on this program so a very special thank you to him and to all the great men and women that were out there. This was not easy but we really, really do appreciate it. So on behalf of Cyrus and all the clients in Southeastern Wisconsin thank you to the firefighters and to the Village for letting us do this. We really do appreciate it and we hope to be back next year. Thank you.

John Steinbrink:

I think on behalf of the Board we congratulate the firefighters for a great job and for a great cause. Once again, you guys have outdone yourselves, not only in the line of duty but in your spare time, too. So, thank you.

5. MINUTES OF MEETING - SEPTEMBER 21, 2009

ALLEN MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 21, 2009 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY SERPE; MOTION CARRIED 5-0.

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6. CITIZEN COMMENTS

Bob Babcock:

Bob Babcock, 11253 3rd Avenue. I just wanted to find out what the status of the ditching project is. It seems like they're finished but there seems to be some things that were left unfinished. I know in my own yard where they resurfaced the road there's a big bump from the road into my driveway. It's just blacktop and it's soft and it's going to break apart if they leave it like that. I know that you had told us about how the ditches need to be sloped and it appears the ditches are steeper than they were in some spots which maybe that's what you wanted to do but it seems interesting.

Also, I had a bunch of railroad ties in my yard and I kind of thought they were going to put things back the way they were and they're not the way they were. I know where the yard is and where the ditch is maybe they couldn't put them back. My driveway is a gravel driveway and I would assume that where the ditch is it's going to wash out the gravel and the railroad ties were there to keep it in place. That's the way it was before they started.

Also, the grass seed it seemed kind of late in the yard to seed. Are we supposed to just re-seed it in the spring if it doesn't take, or are you going to come back in the spring? Obviously, if the grass doesn't take those steep ditches aren't going to work very well. So if you'd just let me know. Thanks.

John Steinbrink:

Thank you.

Bob Babcock:

Bob Babcock, 11336 Lakeshore Drive. A couple months ago we had a nasty little storm that caused a bunch of flooding and so on and so forth. I came before the Board and I asked at that time what year rain event would that be considered, a 5 year, 10 year, 25 year rain event. I have not heard anything back as yet. I'd like to find out what sort of event you considered that storm to have been. Thank you.

Jane Romanowski:

No more signups, Mr. President.

John Steinbrink:

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

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7. ADMINISTRATOR'S REPORT

Mike Pollocoff:

I have nothing.

8. NEW BUSINESS

A. Consider Resolution #09-31 to initiate a zoning text amendment to the area and height of primary monument signs.

Tom Shircel:

Thank you, Mr. President. This Resolution 09-31 is to initiate a petition to the zoning text, text of the zoning ordinance and specifically related to the area and height of primary monument signs in the Village.

The Village Board hereby initiates and petitions to amend Sections 420-76 T of the Village Zoning Ordinance related to the area and height of primary monument signs. The result of any proposed changes to other sections of the ordinance may, indeed, need to be re-evaluated as well. These proposed changes in the zoning text are hereby referred to the Village staff for further study and recommendation.

And the Village Board is not by this resolution making any determination regarding the merits of the proposed changes in the text of the zoning ordinance, but rather is only initiating the process by which the proposed changes in the ordinance can be promptly evaluated. With that, I'll turn it back to you, Mr. President.

John Steinbrink:

Thank you, Tom.

Mike Serpe:

I'd move approval of 09-31.

Steve Kumorkiewicz:

Second.

John Steinbrink:

We have a motion and a second for adoption of 09-31. Any further comment, question or discussion?

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SERPE MOVED TO ADOPT RESOLUTION #09-31 TO INITIATE A ZONING TEXT AMENDMENT TO THE AREA AND HEIGHT OF PRIMARY MONUMENT SIGNS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

B. Consider Resolution #09-32 urging Time Warner Cable to reinstate WTTW, Channel 11, Chicago Public Television, to its southeastern Wisconsin lineup.

Mike Pollocoff:

Mr. President, we've received numerous requests at the Village, a two part request. One is that they're requesting that the Village require Time Warner to reinstate their lineup as it was. We no longer have the ability to do that. No municipality does. So the other thing would be, the next best thing would be if the Board considered a resolution to request that they do that.

I think the most troubling thing I see about them changing the channel lineup, especially for a public channel such as public TV or any other thing is that Time Warner and AT&T as they got their law passed for "Cable for all", they inherited a lot of rights and privileges that they didn't have before. The level of government regulation that they were under was lifted away. And it would seem to me along with that goes a certain level of responsibility with the rights they have. I think that the changing of WTTW could be considered the first step.

But we're in a unique area here where as many people want to watch an ABC channel in Chicago as they do here if they follow the Bears or anything like that. Our geographic proximity to Chicago I think makes that required. At some point if they're able to sell a cable slot for another channel and eliminate what might on the face of it might be duplicative I don't think would be good for the residents of the Village.

My recommendation is we adopt Resolution #09-32 and forward that on. I think they need to be reminded that since they do now have this authority to do it on their own that they still have a responsibility that didn't go away with our ability to regulate them.

Steve Kumorkiewicz:

I make a motion to adopt Resolution 09-32.

Mike Serpe:

I second it. I know Time Warner has received an enormous amount of complaints from this area especially. This type of station, and that's the Milwaukee Public Service and the Chicago Public Service, they're not allowed to go under as I understand. Is that correct? I mean they have to be allowed to continue to broadcast as public service station.

Mike Pollocoff:

Right.

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Mike Serpe:

And they rely a great deal on public support and this has taken all of that away from this area at least. I agree, Mike, I hope this has some weight to it, but the way business is going lately you've got to wonder.

John Steinbrink:

We have a motion by Steve, second by Mike. Any further comment or question?

KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #09-32 URGING TIME WARNER CABLE TO REINSTATE WTTW, CHANNEL 11, CHICAGO PUBLIC TELEVISION, TO ITS SOUTHEASTERN WISCONSIN LINEUP; SECONDED BY SERPE; MOTION CARRIED 5-0.

C. Consider an award of contract to purchase one ambulance chassis.

Mike Pollocoff:

Mr. President, we have a request by the Fire Department to purchase an ambulance chassis that was authorized in the budget. We put out an RFP requesting bids, and the type of ambulance that we're looking for is not an unusual ambulance, it's an International chassis. We only received one bid. In part the Illinois bidders won't bid up here, and the secondary bidder did not submit a bid. One of the reasons we were going out much later at the end of the year is that there's a change in the diesel requirements next year that's going to add price to the project. We wanted to be able to escape that and have the chassis go towards the end of the year. So I'm recommending, along with the Fire Chief, that we be authorized to execute an agreement with Lakeside International in the amount of \$69,454.

Mike Serpe:

The total amount is going to be right around \$200,000 when we're done?

Mike Pollocoff:

Yeah. The amount that we had budgeted for the chassis was \$72,930.

Monica Yuhas:

I'll make a motion to award the contract to Lakeside International in Milwaukee for the bid price of \$69,454.

Clyde Allen:

Second.

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John Steinbrink:

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

Steve Kumorkiewicz:

Yes, how many diesel units do we have in the Fire Department?

Mike Pollocoff:

How many diesel units?

Steve Kumorkiewicz:

Yes.

Mike Pollocoff:

They're all diesel.

Steve Kumorkiewicz:

They're all diesel?

Mike Pollocoff:

I think except for the grass trucks and the cars.

Chief Guilbert:

I'm Paul Guilbert, Jr., Chief of Fire and Rescue. I'm at 8044 8th Avenue. Only just the two cars are not diesel.

Steve Kumorkiewicz:

I have a question because in case that I hope it never happens but one of our units gets in an accident and there is a spill of diesel, we're responsible for the cleanup, don't we, and they've got to be reported to the EPA?

Chief Guilbert:

To the DNR. Right, but that would be regardless of what spills on the ground, either gasoline or diesel.

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Steve Kumorkiewicz:

Oh, gasoline, too?

Chief Guilbert:

That's correct. Any time you spill, and I believe it's over 25 gallons, it's got to be reported.

Steve Kumorkiewicz:

Okay, I wasn't sure how it worked. I didn't think it was going to affect that too much, but I wanted to clarify because I never had it clarified. Thank you, Chief.

John Steinbrink:

Further comment or question? Chief, anything to add?

Chief Guilbert:

No, sir, just thank you.

YUHAS MOVED TO AWARD A CONTRACT TO PURCHASE ONE INTERNATIONAL AMBULANCE CHASSIS TO LAKESIDE INTERNATIONAL IN THE AMOUNT OF \$69,454.; SECONDED BY ALLEN; MOTION CARRIED 5-0.

D. Consent Agenda

- 1) **Approve Operator License Applications on file.**
- 2) **Approve a Letter of Credit Reduction for the Kings Cove development.**

SERPE MOVED TO APPROVE CONSENT AGENDA ITEMS 1 AND 2; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

Clyde Allen:

Just a comment rather than a question. Is that alright, even though it's after the fact? I appreciate the note on there that the one that was convicted of an alcohol beverage-related offense, Chief Wagner has reviewed it and he puts his okay on there. I appreciate your dedication to doing such. Thank you.

9. VILLAGE BOARD COMMENTS

Mike Serpe:

I have one. The controversy going on with the Halloween hours at City Hall tonight, my only suggestion would be that if they want to look at this thing and change it to do it next year and not now because of the amount of notification that has gone out after we piggybacked on the City to

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coincide with their hours, to change that now may cause some problems. And if they want to change it next year and we look at it and we say, yeah, we don't have a problem with doing it on the day of the event and during the daylight hours I wouldn't have a problem with that. But I hope they don't do it this year because it would be a little bit confusing for everybody. If we tried to tell everybody that there's now a change that's just not good policy.

Steve Kumorkiewicz:

. . . only seven Aldermen against four against, so I doubt it's going to pass.

Monica Yuhas:

Mr. President, I'd like to ask Mr. Pollocoff to respond to the citizens' comments that were asked tonight.

Mike Pollocoff:

The first comments of Bob Babcock, Jr., - the restoration contract for the storm sewer project runs through next year. Doing restoration in the late summer/early fall can always be impacted by weather, and they're going to have to come back and re-seed if that's necessary along the ditch lines.

With respect to his other questions concerning the asphalt issues, I'll forward those on through Public Works and the contractor and we'll take a look at it and see what it is. The railroad ties, again, we'll look at that one, too. I'm not sure we're going to put railroad ties back in the right of way because they really shouldn't be in the right of way to begin with, but we'll take a look and see where they were and whether those should go back.

Concern Mr. Babcock's question about the June 19th rain event, we haven't received—we sent off our flood information to FEMA, and we haven't received anything back. But initial indications are it exceeded significantly a 100-year event in the Village. There were places in the vicinity of the Sewer Utility District D plant and that tributary area where we might have approached 500-year event flooding. The tool in the way that's evaluated is how much rain occurred beforehand, within a few days, what was the soil saturation levels, what soil types. There's a lot of factors that go into it. To be honest with you, they're not going to spend a lot of time on it because the only place we had some really significant rain was that track running through Pleasant Prairie and it really didn't get outside the area that much. We're reasonably confident that it did exceed 100 years in most areas in the Village, and in some areas it was significantly higher. But as we get that, and to be honest with you that could be next June before they actually give us that information, but just the small studies we've been working on as far as our remediation projects there's no way we're going to be able to design to that storm.

John Steinbrink:

Just a landscaping note if you put grass seed down in the fall and it doesn't germinate because it takes X amount of heat units. If the seed does not wash away and it has a dirt cover it will

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germinate first thing in the spring. So you actually have a head start getting in there when the ground is usually muddy.

Mike Pollocoff:

Next summer we're going to want the residents to water it when it gets hot, but if for some reason it doesn't take hold that restoration contract is good through October of next year. If something totally fails they'll get it restored.

Steve Kumorkiewicz:

A question for Mike. Mike, are they using the same seed that we use in the restoration, this company or what?

Mike Pollocoff:

There's a seed that's specified. It's identified as airport mix. It's got a mixture of rye and perennials and annuals. I can't recall directly what the specifications called for.

Steve Kumorkiewicz:

I asked the question is because the restoration on 39th Avenue in the Pleasant Homes area when they changed the water lines, they seeded across the street next to 39th Avenue, they re-seeded it. And the people complained because there was mustard growing in. So a lot of people say what did the Village put here? I found out the reason for that is because mustard seed is the first one to come out and it protects the growing grass seeds. By the following year those mustard seeds are gone and they don't grow and the grass is only growing. I didn't know that.

Mike Pollocoff:

I didn't either.

John Steinbrink:

The mustard was in the dirt and you keep mowing it and the mustard disappears. If you notice up here tonight everybody is wearing pink ties except for the ladies up here. It was Clyde's idea and I think, Clyde, if you could explain why. It was a good idea.

Clyde Allen:

October being breast cancer awareness month, I think it's something that not only has always been on my mind but recently it touched our family and really hit home to a lot of us. I'd like everybody to know that our thoughts and prayers are always with the women that get breast cancer. I think it's very important that we are aware of it because it is a curable disease, it's just a matter of being there and catching it early and that's very important.

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Mike Serpe:

Just to follow up on that, Clyde, the ties were given to us the day that Jean Werbie was honored for her government experience. As we all know, Jean had her bout with breast cancer, so these are not only in honor of the breast cancer awareness but with Jean Werbie in mind as well.

10. ADJOURNMENT

**YUHAS MOVED TO ADJOURN THE MEETING; SECONDED BY KUMORKIEWICZ;
MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 6:55 P.M.**