

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
LAKE MICHIGAN SEWER UTILITY DISTRICT
9915 39th Avenue
Pleasant Prairie, WI
March 16, 2009
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, March 16, 2009. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Steve Kumorkiewicz and Clyde Allen. Trustee Serpe was excused. Also present were Michael Pollocoff, Village Administrator; Peggy Herrick, Asst. Village Planner; Tom Shircel, Asst. Village Planner and Jane Romanowski, Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - MARCH 2, 2009**

**KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE MARCH 2, 2009
VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY
YUHAS; MOTION CARRIED 4-0.**

5. CITIZEN COMMENTS

Bob Babcock:

Bob Babcock, 11336 Lakeshore Drive. Two weeks ago at the Board meeting one of the items on the agenda was awarding the letter to the successful bidder on the RecPlex bus. I've asked for a copy of that letter for my records and I've not received one as yet. I would like to find out when I can get a copy of it. Thank you.

Jane Romanowski:

There are no more signups.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? We're going to go out of order a little bit here. We're going to wait for the Administrator to get back from a tourism conference. And we're going to move on to Item 7A.

7. UNFINISHED BUSINESS

- A. Consider agreement with One Source Recycling for the disposal of televisions and computers.**

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ALLEN MOVED TO REMOVE ITEM 7A FROM THE TABLE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

John Steinbrink, Jr.:

John Steinbrink, Jr., 8600 Green Bay Road. Per the memo that you received in your packet, staff is recommending addenda to a recycling contract to add TVs as a recyclable product that we'll either pick up at the curb site or be allowed to be dropped off at the Prange Center during compost hours, and also adding computers and computer monitors also.

The company that we currently contract with, Asset Recyclers are recyclers based out of Southeastern Wisconsin, they were charging us a rate of 22 cents a pound and recently notified us that they're going to raise their rates up to 55 cents per pound for recycling. Our people that were picking up the computers were charging us 10 cents a pound. I think the biggest increase in the price for the Asset Recyclers which was our current provider of that service is because it was effective on February 19th they were changing all the broadcast signals from analog to digital, so they're expecting to have a big influx of televisions being recycled. There's really not too many places for the public to take recycled TVs because both the TVs and the monitors are all banned from landfills in Wisconsin. So staff thought it was important to make sure that we provide an outlet for the residents to be able to dispose of TVs and their computers and their monitors.

So we talk with One Source Recycling who currently does out single stream recycling and they are starting picking up the TVs and computers and computer monitors. So with the price of 12 cents per pound and an even \$250 per semi load the hauling fee is still much cheaper than the 65 cents per pound. So staff is recommending approval of this resolution (sic Agreement).

John Steinbrink:

I noticed on the news Milwaukee did a similar program where they set up one day and it was a drop off so people drove up and dropped off their TVs and old computers and screens. They were palleted and then put on a semi. There was no charge for the residents but I'm not sure. I thought it was in conjunction with a chain store up there they were doing it. But there are no programs like that around for us down here.

John Steinbrink, Jr.:

Other ones that I've seen are just in conjunction with some of the larger cities. It will be sponsored by a Best Buy or something like that who will sponsor a specific area. It's probably very similar to what we do for our hazardous waste collection that's provided twice a year. Onyx actually sponsors it in May and September for all Kenosha County residents and they pick up 100 percent of the price of the labor, material, handling, disposal for hazardous waste. Maybe down the road something like that will become available. And if staff finds any programs like that we'll be sure that the Village is a part of it.'

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John Steinbrink:

Other comments or questions?

Steve Kumorkiewicz:

You mean that when . . . started this program, this particular one—

John Steinbrink, Jr.:

One Source is starting the program. The Village has the program right now.

Steve Kumorkiewicz:

I understand, but when are they going to be picking up? Would it be better to establish a day so everybody can put their TV or whatever in the front? How are they going to handle this?

John Steinbrink, Jr.:

There's different ways that residents are able to dispose of televisions. One is if they call up the public works department they can schedule a pickup for Friday and we'll come and pick up their TV and store it at a site at the Prange Center. We do charge an additional \$10 for pickup of that TV or computer monitor just to cover the cost of fuel and labor for picking it up. And then the second way, if they want to save the \$10 they can drop it off at the Prange Center during compost hours. The new compost hours are Monday, Tuesday, Thursday, Friday from 10 a.m. to 6 p.m. and Saturday from 7 to 2.

Steve Kumorkiewicz:

Thank you, John.

John Steinbrink:

Other questions? Clyde?

Clyde Allen:

Are we going to let the public know these are their options? I know they've heard it once, but being there's going to be an influx of the old TVs that won't work, some may not be aware of it and need to be reminded. Would that make sense?

John Steinbrink, Jr.:

Oh, sure. Chris Lopour does an excellent job of doing press releases after each of these new programs are moving forward. I'm sure she probably even has one prepared assuming that this passes by the Board. And this also is on the back calendar of the Village calendar which

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everyone has also. So it is our intent to between the calendar, the press release and then also we'll probably even do something on Channel 25 and start running it on there.

Clyde Allen:

Thank you.

John Steinbrink:

Other comments or questions?

Clyde Allen:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve. Any further discussion?

ALLEN MOVED TO APPROVE A CONTRACT WITH ONE SOURCE RECYCLING FOR A TELEVISION, MONITOR AND COMPUTER RECYCLING PROGRAM AS DISCUSSED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

John Steinbrink:

In keeping with our jumping around on the agenda we'll now move to Item 8K. It's going to be Item K and then Item B.

K. Consider Resolution #09-07 authorizing filing of a 2009 Demonstration Rain Garden Grant Application to the Root-Pike Watershed Initiative Network.

John Steinbrink, Jr.:

Last year the Village of Pleasant Prairie in conjunction with 18 other communities in Southeastern Wisconsin joined in a coalition to create the Root-Pike WIN. That is in a part of our Phase 2 DNR permit that we have for clean water. One of the main purposes for this Root-Pike WIN organization is to get public education out on some of the different things you can do to improve clean water.

They went through and they have offered grants available to create rain gardens. A rain garden is something that's becoming more and more popular. It's a way you can reduce the amount of runoff that comes off of your property. We are looking at doing a demonstration rain garden at

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the Roger Prange Center in the grass or common area, actually just to the east of where the fuel bay is. One of the requirements for it is it has to be open to the public for 20 hours over the course of the week, and with our new compost hours that shouldn't be a problem.

The grant will pay for all the plant material and mulch to actually create the rain garden. And the amount of maintenance that we have is going to be very limited, probably under three to five hours per year. I guess the main purpose of it is just to really show the residents what a rain garden is, how it works, how it functions. So staff would like to apply for this grant, and then if we are awarded the grant make the rain garden this summer at the Prange Center.

Steve Kumorkiewicz:

As you pointed out . . . the location

John Steinbrink, Jr.:

It's going to be at the location where Peggy has the red laser pointer. There's a lot of water that runs off of the roof of the fuel bay and some of the existing asphalt. So staff at the Root-Pike WIN thought that would be an excellent location. We are going to apply for another one for next year at the Lakeview RecPlex, but with all the construction that's going on we thought we're better off just kind of waiting until the pool is constructed and then incorporate some of the roof drainage off of the pool into a rain garden also out there.

Steve Kumorkiewicz:

Thank you, John.

John Steinbrink:

Other comments or questions?

Steve Kumorkiewicz:

I make a motion to adopt Resolution 09-07.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. Is there any further discussion?

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KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #09-07 AUTHORIZING FILING OF A 2009 DEMONSTRATION RAIN GARDEN GRANT APPLICATION TO THE ROOT-PIKE WATERSHED INITIATIVE NETWORK; SECONDED BY YUHAS; MOTION CARRIED 4-0.

- B. Receive Plan Commission Recommendation and consider a Zoning Map Amendment (Ord. #09-08) to correct the Village Zoning Map as a result of a wetland staking completed by the Southeastern Wisconsin Regional Planning Commission for the property located at 8264 108th Avenue.**

Tom Shircel:

Thank you, Mr. President. On February 16, 2009, the Village Board approved Village Board Resolution 09-04 to initiate this zoning map amendment to correct the wetlands that were staked by SEWRPC. On September 29, 2008, the Village received an application dated September 22, 2008 from Dave Cicchini of Prudential Premier Properties, agent, on behalf of George Bellegante who is the property owner for this wetland staking to be completed on this property.

On February 10, 2009, the Village received a letter from the Southeast Wisconsin Regional Planning Commission that indicated that the plat of survey dated December 10th completed by Glen Marescalco correctly surveyed and identified the wetlands on this property as field staked by SEWRPC on November 11th. If you look at the slide on the wall the three yellow areas are the wetlands, wetlands 1, 2 and 3.

The zoning map proposes to rezone those wetlands into the C-1, Lowland Resource Conservancy District. The remainder of the property will continue to be zoned R-5, Urban Single Family Residential District. In addition, the extreme southwest corner designated by the triangle on the slide on the wall will remain in the FPO, Floodplain Overlay District. On March 9, 2009 the Plan Commission did hold a public hearing, and the Plan Commission recommends that the Village Board approve this zoning map amendment which is Ordinance 09-08 as presented. With that I'll turn it back to the Village Board.

Steve Kumorkiewicz:

Question for Tom. Tom, that's on the north side of River Oaks or it's a part of River Oaks?

Tom Shircel:

That's north of River Oaks. This lot is not a part of River Oaks, correct.

Clyde Allen:

I make a motion to approve Ordinance 09-08.

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Monica Yuhas:

Second.

John Steinbrink:

Motion by Clyde, second by Monica. Further discussion? The neighbors were all there, they understand what the project was. I believe they were all at the Plan Commission.

Tom Shircel:

There were a couple that spoke, correct.

John Steinbrink:

The association was represented there.

Tom Shircel:

That was for a different item that's going to be covered later this evening.

John Steinbrink:

Okay, never mind. We have a motion and a second.

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT A ZONING MAP AMENDMENT (ORD. #09-08) TO CORRECT THE VILLAGE ZONING MAP AS A RESULT OF A WETLAND STAKING COMPLETED BY THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION FOR THE PROPERTY LOCATED AT 8264 108TH AVENUE; SECONDED BY YUHAS; MOTION CARRIED 4-0.

- C. Receive Plan Commission Recommendation and consider several Zoning Text Amendments (Ord. #09-09 through #09-13) including:**
- 1) to amend the title of Section 420-127 from PR-1, Park-Recreational District to Park-Recreational District #1;**
 - 2) to create Section 420-127.1 for future use;**
 - 3) to create Section 420-127.2 entitled PR-3 Regional Park-Recreational District;**
 - 4) to amend Section 420-100 A (1) related to a listing of zoning districts;**
 - 5) to amend Section 420-32 and 33 related to sanitary and water requirements; and**
 - 6) to delete Specific Development Plan 9 entitled "Prairie Springs Park Planned Unit Development" in Chapter 420 Attachment 3 Appendix C.**

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Peggy Herrick:

I'd ask that we talk about Item D as well since these two are related; however separate motions would be required.

D. Receive Plan Commission Recommendation and consider a Zoning Map Amendment (Ord. #09-14) to rezone several properties owned by the Village of Pleasant Prairie generally located west of 88th Avenue at STH 165.

Peggy Herrick:

Correct, and there are five different properties that are proposed to be rezoned. On March 9th, the Plan Commission held a public hearing to consider both the zoning map and the zoning text amendment. These amendments were initiated by the Plan Commission November 24, 2008 through Resolution #08-20 and 08-21 where both those resolutions initiated evaluating the Park and Recreational District and the associated zoning maps. And the other resolution related to amendments to Prairie Springs Park PUD.

As we began reviewing these ordinances and these maps, it became clear that there may need to be three different zoning classifications. Currently the Park and Rec District has one classification, PR-1, which hosts a variety of uses from Prairie Harbor Yacht Club to Prairie Springs Park to outlots in subdivisions that have storm water basins to small Village parks and so forth and so on.

In order to comply with the Smart Growth legislation, our Comprehensive Plan and our zoning map should be consistent. The Comprehensive Plan currently designates park and recreational areas into three different areas, neighborhood parks, community parks and regional parks. So once we began reviewing this it became clear that we should follow same suit and create three different Park and Recreational Districts.

The first district proposed being created is the PR-1, Neighborhood Park and Recreational District. This is for areas that have small open space areas. Typically retention and detention facilities are located on these and the Village parks that are less than five acres. These would be outlots in subdivisions that have retention or detention facilities on them basically and, again, Village parks less than five acres. That district would be called Neighborhood Park and Recreational District.

The next district, PR-2, would be a Community Park and Recreational District. This would be for active recreational areas and Village parks greater than five acres. This would also include things like Halter Wildlife, Transcendental Golf, Prairie Harbor Yacht Club, Village parks that are greater than five acres that serve the community as a whole.

The next district, the PR-3, which is a Regional Park and Recreational District, this would be major park and recreational areas that serve the community and the larger region. In the Village of Pleasant Prairie in accordance with our Comp Plan that is Prairie Springs Park. So the intent would be Prairie Springs Park would be zoned PR-3.

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At this time we are basically looking to have amendments to the PR-3 District approved. Changes to the PR-1 and the PR-2 District we're currently still working on finalizing those and reviewing all the maps to make sure we get all the maps that need to be corrections on. And those hearings for those amendments to the PR-2 and the PR-1 District and the associated maps will be held the end of April. So those notices will be going out the end of March.

Specifically tonight there are a number of amendments being made. The first amendment is to amend the title of Section 420-127 which currently the title is PR-1, Park-Recreational District. Again, we have one district. That name is proposed to be changed to PR-1, Neighborhood Park and Recreational District. Again, the text of that is not changing. That will be forthcoming at a public hearing later in April. So at tonight's meeting we're just changing the name and that's Ordinance 09-09 in your packet.

The next ordinance, 09-10, is to create Section 420-127.1 to be entitled PR-2, Community Park and Recreational District, and this will be reserved for future use. Again, we are in the process of finalizing that ordinance to bring to a public hearing at the end of April. But at this point we're just creating that place holder in the ordinance for that section's regulations to be created.

The next ordinance, which again is also part of 09-10, relates to creating Section 420-127.2 entitled the PR-3, Regional Park and Recreational District. Again, this is a regional park. The regional Park in the Village is Prairie Springs Park. Within this district there are numerous principal uses proposed, indoor and outdoor recreational uses, public administration offices, public service buildings, therapeutic recreational facilities, physical therapy facilities, restaurants and snack bars, limited service and retail uses, pavilions and maintenance buildings. Additional uses in this new district include campgrounds, golf course or driving ranges, hotels, restaurants with a dedicated brewery, zoological or botanical gardens, communication structures, transmission lines, utility substations and buildings and wind energy conservation systems.

This ordinance also provides that uses can be shared within the district and within buildings - that accessory uses are allowed to each of these principal uses. It includes dimensional requirements, design and operational standards for all uses in this district. Again, that is Ordinance 09-10 in your packet.

The next text amendment which is 09-11 is to delete the Specific Development Plan 9 entitled Prairie Springs Park Planned Unit Development in Chapter 420 which is part of attachment 3 and appendix C. We incorporated the few PUD requirements and ordinances that were written in 2003 into this new PR-3 District. So all of those existing requirements for Prairie Springs Park are now included in this new PR-3 District, so there's no need to have a PUD anymore for Prairie Springs Park. So the PUD standards and ordinance is proposed to be deleted by this Ordinance 09-11.

The next ordinance 09-12 is to amend the sanitary sewer and municipal water services. As you can see from the Ordinance 09-12, the ordinance now specifies the new PR-1, PR-2 and PR-3 District. It requires that municipal sewer and water be available for all new buildings in those districts unless municipal sewer and water is not readily available. Then they may develop an

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onsite system or a well. For instance, Prairie Harbor Yacht Club, there's no municipal water and no municipal sewer down there so they are on a septic and a well. Water and sewer and not readily available and are not intended to be into that area. So this ordinance cleans up that section as it relates to these three new districts that are being created.

The last text amendment is to amend Section 420-100 A (1) and that's Ordinance 09-13. This section of the ordinance lists all the different zoning districts in the Village. Since we're creating two new districts and changing the name of one, this section is being amended to change the PR-1, Park and Recreational District, to PR-1, Neighborhood Park and Recreational District; to add PR-2, Community Park and Recreational District to that list; and to add PR-3, Regional Park and Recreational District to that list. Again, this section just lists all the zoning districts in the Village so that's another minor change.

The next set of ordinances, which is actually Ordinance 09-14, is a zoning map amendment. And this is for Prairie Springs Park and the surrounding properties owned by the Village. Prairie Springs Park is approximately 232 acres. There are two parcel numbers associated with that. This is the main portion of the park which is currently zoned PR-1 (PUD). And as I indicated earlier the PUD has been eliminated so that property is supposed to go right into the PR-2 (sic PR-3) District, no PUD.

The other two portions of the parcels that are in part of Prairie Springs Park are these two. This parcel up here is currently zoned C-1 (PUD). C-1 is the Lowland Resource Conservancy District. And this parcel right here is C-2 (PUD). C-2 is an Upland Resource Conservancy District. That's part of the woods. The C-1 and the C-2 underlying district will remain, however the PUD will be removed since there will be no PUD anymore for Prairie Springs Park.

The Village owns approximately 525 additional acres surrounding Prairie Springs Park both on the north, the west and the south. There's a variety of zoning classifications in this area. We're trying to clean up the map. There's a portion or a parcel here where there's a turnaround at River Road. That is zoned R-2, and this open area right here is also zoned R-2. That area is supposed to go to PR-1 which is this open space area. We're not intending to develop it like Prairie Springs Park with an outdoor recreational facility. Those are basically just open space areas that shouldn't be zoned residential but should be zoned PR-1 for the open space areas.

These areas down here are part of a larger piece and they're currently zoned A-2, General Agricultural. These areas, again, are proposed to go into the PR-1 District for open space preservation. These passive areas adjacent to Prairie Springs Park, the intention would in the future be trail systems that may go through there, possibly a small pavilion in there somewhere, open air or something like that, but that would be the extent of the uses that would go on out there.

The remainder of this area owned by the Village that is not proposed to be rezoned is either zoned C-1, which is Lowland Resource Conservancy District, or some C-2, Upland Resource Conservancy District. In addition, there is floodplain on this property and shoreland boundaries. The floodplain and shoreland are not being rezoned as a part of this, but basically we're putting

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the open space that are not wetlands and woodlands into a PR-1 District, the active areas in Prairie Springs Park into the PR-2 and removing the PUD Overlay District.

Again, the public hearing was held on March 9th for both of these items by the Plan Commission and they did recommend that the Village Board approve Ordinances 09-09 through 09-13 for those text amendments I explained, and Ordinance 09-14 for the zoning map amendment. If you have any further questions I'll be certainly happy to answer those.

John Steinbrink:

Where's the bridge, Peggy, that the high school kids built? Does that go into that—

Peggy Herrick:

John may know better where that bridge is.

John Steinbrink, Jr.:

The bridge is at the point of intersection of the Des Plaines and the Kilbourn Creek.

Peggy Herrick:

Here it is. This is the ditch line right here so right in this area.

John Steinbrink, Jr.:

Right, it's right at that point. Right there is where the bridge is because that's the narrowest crossing of the creek.

John Steinbrink:

Okay, just a point of interest.

Steve Kumorkiewicz:

Peggy, how much . . . confused, but there's going to be a qualification of what can be done in PR-1, PR-2 and PR-3 PR-1 those are under five acres. But we don't allow . . . we don't allow people with boats or canoes or whatever?

Peggy Herrick:

Correct.

Steve Kumorkiewicz:

Okay, so that is going to be articulated in those?

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Peggy Herrick:

That will be in the new PR-1 that we're working on right now. And, again, those hearings will be held on April 27th. We tried to break these up because it's going to get—it's very confusing right now so we tried to break those up. The PR-1 District is going to have provisions for principal use for limited recreation, pavilions less than I believe 1,000 square feet and storm water detention or retention facilities not intended for boating, fishing and things like that. That is stated in the ordinance. Some Village parks that are less than five acres fall into that category as well which is just open space. There is a number of them that are an acre, two acres or whatever, so those will be in the PR-1 District.

The PR-2 District will be Village parks that currently are owned by the Village that are greater than five acres. They may have baseball facilities, they may not, they may just be open spaces, but they will be other areas such as Halter Wildlife, Transcendental Golf, Prairie Harbor Yacht Club and those types of uses that are more intense than a subdivision's outlot with a residential pond on it for storm water. So those will all be presented at a public hearing, like I said, April 27th brought to the Board and probably the first meeting in May if it gets recommended by the Plan Commission.

Steve Kumorkiewicz:

Okay, thank you. One more. The 525 acres those are the ones that were donated to us about six years ago?

Peggy Herrick:

Some of that is land that was donated to us. The land that was donated was south here. There's land south of 165 that the Village also owns. Most of that is zoned conservancy. If you drive on 165 you can see ponds and things like that. There is some land to the north as well which I believe the Village has owned and that was not donated to us recently.

Steve Kumorkiewicz:

Okay, thank you.

John Steinbrink:

You want these motions individually or collectively?

Peggy Herrick:

I would think we need a motion for Item C and then a motion for Item D.

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John Steinbrink:

So we can take 09-09 through 09-13 as one motion.

Steve Kumorkiewicz:

So moved.

Clyde Allen:

I've got a question, Peggy, to make sure I got it right. Section 420-127.1 is reserved for future use?

Peggy Herrick:

Correct.

Clyde Allen:

Being that not only the physical structure of Prairie Springs Park may change as well as usage—

Peggy Herrick:

PR-2 is the Community. PR-3 is the regional for Prairie Springs Park.

Clyde Allen:

So we will not need—I guess what I'm getting at is if it's undefined right now for PR-2, reserved for future use, if it needs to be split can we do Section 127.1 A and B? If you wanted to delineate between principal and conditional for some reason can we do a sub section on that?

Peggy Herrick:

We could but then we would need to probably change the PR-3 District to a PR-4 District.

Clyde Allen:

How can—

Peggy Herrick:

We're already finalizing it right now. I don't foresee the PR-2 District being split into two districts.

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Clyde Allen:

Okay, thank you.

Clyde Allen:

I make a motion to move Ordinance 09-09.

Monica Yuhas:

Second.

John Steinbrink:

Motion and a second to adopt 09-09. Let's make it to 09-13.

Clyde Allen:

Yes.

John Steinbrink:

So the motion will include 09-10, -11, -12 and -13. Is there a second?

Monica Yuhas:

Second.

John Steinbrink:

Second my Monica, motion by Clyde. Any further discussion on these items?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER SEVERAL ZONING TEXT AMENDMENTS (ORD. #09-09 THROUGH #09-13); SECONDED BY YUHAS; MOTION CARRIED 4-0.

Steve Kumorkiewicz:

I make a motion to approve Ordinance 09-14.

Clyde Allen:

Second.

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John Steinbrink:

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

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER A ZONING MAP AMENDMENT (ORD. #09-14) TO REZONE SEVERAL PROPERTIES OWNED BY THE VILLAGE OF PLEASANT PRAIRIE GENERALLY LOCATED WEST OF 88TH AVENUE AT STH 165; SECONDED BY ALLEN; MOTION CARRIED 4-0.

- E. Receive Plan Commission Recommendation and consider a Zoning Map Amendment (Ord. #09-15) to correct the zoning map and rezone several properties located within the Carol Beach/Chiwaukee Prairie area south of approximately 80th Street, east of Sheridan Road north of 128th Street and west of Lake Michigan.**

Peggy Herrick:

Mr. President, I also ask that the next item, which is Item F, if we could bring those both and discuss those both at the same time since they are related and separate actions would be required on both E and F.

- F. Receive Plan Commission Recommendation and consider several Zoning Text Amendments (Ord. #09-16 and #09-17) related to allowing Essential Services as a permitted use in all districts including 1) to create Section 420-39.1 and to delete Sections 420-128 F (9), 420-130 F (3) and 420-148 B (117).**

Peggy Herrick:

A public hearing was held on this matter again on March 9th by the Plan Commission and they are recommending that the Village Board approve these ordinances 09-15 through 09-17 as being presented tonight.

On February 9, 2009, the Village Plan commission adopted Resolution 09-01 to initiate the several zoning map amendments for properties that have been acquired in the public's interest in 2008 and to evaluate other properties in the Carol Beach, Chiwaukee Prairie area that may need to be rezoned pursuant to the Community Assistance Planning Report No. 88 entitled A Land Use Management Plan for the Chiwaukee Prairie-Carol Beach Area of the Town of Pleasant Prairie, and that was dated February 1985.

As you may recall we do this every year or so. Land that have been acquired in the public interest pursuant to that plan should be then rezoned into the appropriate zoning classification, either the C-3, Scientific and Natural Resource Area or PR-1, Park and Recreational District. So the map on the overhead on the slide shows that Chiwaukee Prairie-Carol Beach plan that was adopted in 1985, the green areas show the areas to be preserved and the orange areas show the development areas. This is basically 80th Street. Here's 7th Avenue, 91st down Sheridan Road to the State Line and Lake Michigan.

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Over the years, the DNR and The Nature Conservancy and the Village and Kenosha County have acquired land either through acquisition or donation or tax fee or what have you. So, again, we're just cleaning up the map to bring in the properties that were acquired in 2008 and some properties that have been missed over the years to get those into compliance with this plan.

There are several properties owned by Wisconsin Electric Power Company that are proposed to be rezoned to C-3. They include this property to the north which is partially zoned C-3 and I-1. A portion of their property down here, this portion is proposed to be rezoned to C-3. There are portions of property owned by the DNR, this large property, -074-0095 currently owned by the DNR that was transferred from Wisconsin Energies to DNR some time ago. This piece right here, -074-0100 that's owned by the Village of Pleasant Prairie, has been owned by the Village for some time.

This piece right here, there's a single family home on that piece. The property address is 8209 7th Avenue owned by Ronald and Pam Syre, that property is currently zoned I-1. This zoning map amendment proposes to put them into R-5, Urban Single Family Residential, until such time that it is acquired in the public's interest. Then that would be zoned into the C-3 District. So currently that piece is zoned I-1. We're proposing to rezone that to R-5 to make that house conforming.

The next map, again, has several properties owned by the Village and Wisconsin Electric and the Department of Natural Resources. This property right here identified as -712-720 is zoned PR-1 and that's owned by the Village. This piece right here zoned PR-1 identified at -181-0125 that is zoned by the Wisconsin Department of Natural Resources. This parcel, 093-181-0005 actually it goes on both sides of 7th Avenue. This parcel actually continues south down all the way to 85th Street. This portion right here is already zoned C-3. We're proposing to rezone these two sections, one that's zoned R-5 (UHO) and the other that's zoned I-1 into the C-3 District. Those properties are owned by Wisconsin Electric.

The next map is Exhibit 3. This property is owned by the Village of Pleasant Prairie. There are multiple zonings on this property. A portion of the property is already zoned C-3 which is right down here. A portion is zoned PR-1. This portion is zoned C-1, and there's a small portion up here that's zoned R-6. This whole property owned by the Village is proposed to go to the C-3 District for preservation.

This property here is owned by the State of Wisconsin. This is one of the properties they acquired in 2008. This is proposed to go into C-1 which is a Scientific and Natural Area. The next property, this property is owned currently by Kenosha County. They got it through tax deed. Apparently 104th Avenue exists from here and comes up to here, 8th Avenue goes north. This portion of the road and 8th Avenue as it goes south is not constructed. Currently the DNR owns all this property along 8th Avenue with the exception of these two portions right here which are still owned by private property. This property is being rezoned because it was just acquired by Kenosha County through tax deed and it's intending to be preserved. So that's proposed to go into C-3.

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The next property, this property is owned by the Village. This small portion is proposed to go into PR-1, Park and Recreational District. This is just north of 125th Street. Lakeshore Drive in this area is not constructed. This is the area where it had washed away back in the late '80s. As you can see from this map, these parcels used to go all the way out to the lake, but due to erosion there's just a small sliver left, so that piece is proposed to go into PR-1 for open space preservation.

There are portions of these properties that are located within the 100-year floodplain. Portions are located within the LUSA, Limited Urban Service Area, and portions are located within a shoreland boundary. These zoning map amendments as I just discussed does not change any of those designations, just the general zoning classifications.

On March 5, 2009, the Village received a letter from We Energies with some concerns regarding rezoning some of their properties. In particular, the properties are shown on Exhibit 2. On these properties We Energies has underground water lines that service the power plant. They run up 7th Avenue and then they continue on the property shown on Exhibit 1, up through here, through here and then to their plant in that I-1 portion area. They were concerned that if anything happened to those essential services that they would have to come in and get a conditional use permit if it went to the C-3 District and that may cause some problems. In the event they have an emergency break and something happens they don't want to shut down the power plant because that would be devastating and affect a lot of people.

So when we looked at the intention of the ordinance and how the Village Zoning Administrator has been interpreting the ordinance, it was that essential services are allowed in any district. The DNR allows essential services to run through wetlands. You do need a permit from them but there are no special conditions. You need to disturb minimal areas. So they had requested that we take a look at our ordinance and allow essential services as permitted uses in the C-3 District.

Village staff looked at the essential services definition which is really underground surface and overhead gas, electrical, steam, water, sanitary sewage, storm, drainage, communication systems and accessories thereto. Those are all allowed and should be allowed as permitted uses in all districts. So the Plan Commission recommended that Section 420-39.1 be created to allow essential services in all districts. This section of the ordinance is a general section that just lists a bunch of general requirements in the Village for the zoning ordinance. And so we're recommending that this section be created that states that essential services are permitted in all zoning districts.

As a result of that, the C-1 District, which is in Section 420-128, also lists that utilities are a conditional use. That is not the intention to require telephone lines or cable lines in a C-1 District to get a conditional use permit. Those things change quite frequently, so this section of the ordinance is supposed to be deleted since now there's a section of the ordinance that allows essential services are allowed in every district.

Same thing with 420-130. That is a C-3 District requirement, removing this as a conditional use because, again, this first ordinance being amended created that as a permitted use in all the districts.

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Section 420-148 B (117) this relates to—there's a section in the ordinances for standards for conditional uses. And some of the sections have specific requirements. If you have a conditional use permit you need to do these certain things. Since there will no longer be conditional uses in the C-3 and the C-1 Districts this section is also proposed to be deleted.

Again, Plan Commission did hold a hearing on these items and are recommending approval of Ordinances 09-15 for the zoning map amendment, and Ordinances 09-16 and 09-17 for these zoning text amendments.

John Steinbrink:

Peggy, you talked about the pipes running to the power plant, one takes water to it and one returns it. The pumping station would be qualified under what you had said there?

Peggy Herrick:

Correct, those are essential services.

John Steinbrink:

The I-1 area there?

Peggy Herrick:

It's currently where their plant is. Where their plant is it's currently in the area that's still going to remain I-1.

John Steinbrink:

But it would have been permitted anywhere under your designation there.

Peggy Herrick:

Where their plant is that's not considered an essential service. If they're going to build a new plant they're going to need a conditional use for that. But the infrastructure that runs from there to the power plant that goes through all different districts in the Village. And if they need to go in there because there's a break or whatever that's an essential service that needs to be allowed in any district.

John Steinbrink:

Now, looking at those same maps there was discussion at one time with the City and the tourism people about running a trail from the City down to 1st Avenue through that area. Would that trail still be allowed?

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Peggy Herrick:

In the C-3 District yes it would.

Steve Kumorkiewicz:

I have a question. I recall about 12 or 14 years ago 85th Street, the City tried to get a railroad crossing over there. At that time the area was zoned Residential 5.

Peggy Herrick:

In the Village?

Steve Kumorkiewicz:

In the Village between—

Peggy Herrick:

That crossing would have been right about here?

Steve Kumorkiewicz:

Yes, that crossing right there.

Peggy Herrick:

This portion in the Village is currently zoned and was at that time zoned R-5 (UHO).

Steve Kumorkiewicz:

West of 7th Avenue.

Peggy Herrick:

West of 7th Avenue, correct. This is 7th Avenue right here and this is the railway right here, and here's 85th that they wanted to—

Steve Kumorkiewicz:

They wanted to open it to the railway, yes.

Peggy Herrick:

Correct.

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Steve Kumorkiewicz:

Okay, now is there any chance they can come back and request to open that section to the railroad, the City?

Peggy Herrick:

Sure, the City could do that. The Village opposed that. They could certainly come back and that would be up to the railroad to do that, to make that final determination.

Steve Kumorkiewicz:

Even if it was zoned C-3 anything to? If we rezone that area that area should never . . . to the Village.

Peggy Herrick:

They could always petition to rezone it out of C-3. This would put it into C-3. The area to the south of this which is where 85th is it's already zoned C-3. Our zoning maps the way we do them typically rezone to the center line of the road in most cases, so lots of roads and railroad right of ways are zoned C-3, so that would not preclude them from petitioning that. The Village would probably still oppose that because we would like a crossing at 104th as we indicated back whenever that was, 12 or so years ago, because that makes more sense for how we need to service those areas east of Sheridan Road.

Steve Kumorkiewicz:

Okay, thank you.

Clyde Allen:

Motion to approve zoning map amendment 09-15.

Monica Yuhas:

Second.

John Steinbrink:

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

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT A ZONING MAP AMENDMENT (ORD. #09-15) TO CORRECT THE ZONING MAP AND REZONE SEVERAL PROPERTIES LOCATED WITHIN THE CAROL BEACH/CHIWAUKEE PRAIRIE AREA SOUTH OF APPROXIMATELY 80TH

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STREET, EAST OF SHERIDAN ROAD NORTH OF 128TH STREET AND WEST OF LAKE MICHIGAN; SECONDED BY YUHAS; MOTION CARRIED 4-0.

John Steinbrink:

And Item F.

Steve Kumorkiewicz:

I make a motion to adopt Ordinances 09-16 through 09-17.

Clyde Allen:

Second.

John Steinbrink:

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

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER SEVERAL ZONING TEXT AMENDMENTS (ORD. #09-16 AND #09-17) RELATED TO ALLOWING ESSENTIAL SERVICES AS A PERMITTED USE IN ALL DISTRICTS INCLUDING 1) TO CREATE SECTION 420-39.1 AND TO DELETE SECTIONS 420-128 F (9), 420-130 F (3) AND 420-148 B (117); SECONDED BY ALLEN; MOTION CARRIED 4-0.

- G. Receive Plan Commission Recommendation and consider Resolution #09-06 for a Floodplain Boundary Adjustment for the proposed realignment of a portion of 120th Avenue (West Frontage Road) north of CTH Q (104th Street).**

Peggy Herrick:

Thank you. The Plan Commission held a public hearing earlier tonight regarding this proposed floodplain boundary adjustment. Basically 120th Avenue, the West Frontage Road north of Highway Q, is proposed to be realigned. You can see on the overhead here this is the proposed new realignment. With that realignment a culvert underneath the existing frontage road that brings water from the 100-year floodplain from this side of I-94 to the other side of I-94 needs to be relocated to this location. As a result of that relocated culvert and the new alignment of the frontage road, the 100-year floodplain needs to be adjusted.

In addition to amending the 100-year floodplain, there are some wetlands that need to be filled. You can see those in orange right here. It's approximately 30,000 square feet of wetlands. That's less than acre. The Village had done some wetland restoration up by Highway C and the West Frontage Road a few years ago. The Army Corps of Engineers has accepted the mitigation. These two areas of wetlands are proposed to be filled in the new realignment of the road. This is

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Highway C. This is 120th Avenue. Those relocated wetlands are going from here and being mitigated with seven acres of wetlands up by Highway C.

The Army Corps of Engineers has accepted this for mitigation. The DNR is still reviewing it. Basically the Army Corps will require that we have an easement placed over that seven acres up by Highway C stating that there will be no development of that area, so we are working on putting that easement together for that mitigation.

Specifically, the floodplain boundary adjustment which is the item on tonight's agenda proposes to create 343,000 cubic feet of floodplain, and that's in this area that's darker cross-hatched. The area of floodplain that they're filling is that area for the new relocated frontage road, so it goes from this area north, and this red cross-hatched area that's the area that's being filled more than two feet for the relocation of the floodplain. So that will be removed from the floodplain, and this other compensation area will be located right here.

What's also required by the DNR and by our Village ordinance that if you raise the 100-year floodplain elevation by a certain amount there needs to be a flowage easement over that property so that the water can continue to flow there and that property owner cannot block that flow. What's happening is the existing culvert is right here. And you can see with this red dashed line here and going this way everything flows to that culvert. When they put the new culvert in for the road that will be in this location, that floodplain flow area takes different shape to get to that new culvert. In that area of the new floodway area needs to be an easement recorded on the property so that the property owners do not block that flow. We are working to get that easement put together and prepared for the owner's execution.

So this resolution tonight is the resolution to amend the 100-year floodplain so that the Village can then submit to FEMA to get a conditional letter of map revision so that the project can commence. Once the project commences there will be an as built survey done submitted to FEMA for final approval. Once they receive final approval from FEMA we'll be coming back to amend the zoning map and the zoning text to show that this cross-hatched area has been removed from the floodplain and the floodway area has been revised. And that does not happen until the work is done and FEMA approves the as built drawings. So this resolution tonight is community concurrent with the floodplain boundary adjustment so they can get a conditional letter of map revision from FEMA so they can commence work.

Steve Kumorkiewicz:

Move to approve.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. Further discussion?

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KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER RESOLUTION #09-06 FOR A FLOODPLAIN BOUNDARY ADJUSTMENT FOR THE PROPOSED REALIGNMENT OF A PORTION OF 120TH AVENUE (WEST FRONTAGE ROAD) NORTH OF CTH Q (104TH STREET); SECONDED BY YUHAS; MOTION CARRIED 4-0.

H. Consider Professional Services Agreement with R.A. Smith National for the Carol Beach Unit 2 Stormwater Drainage project.

Mike Spence:

Mr. President, this item is for an agreement with the firm of R.A. Smith to perform construction management and inspection services for the Carol Beach Unit 2 storm water project. As you know, the design was awarded last year, and the design is nearing completion. This is a contract to have R.A. Smith have an inspector out there during the construction of the storm water system and also other related construction management services.

R.A. Smith was chosen because the person that worked on the design of the storm water system, Gary Raasch, changed firms from Hey to R.A. Smith. In order to maintain continuity we recommend that they continue to work on the project. Also, I've had experience from R.A. Smith in the past and they've got a very good municipal construction inspection crew. So with that, I recommend that this agreement be approved.

Monica Yuhas:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Further discussion?

YUHAS MOVED TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH R.A. SMITH NATIONAL FOR THE CAROL BEACH UNIT 2 STORMWATER DRAINAGE PROJECT; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

I. Consider Ordinance #09-18 to amend Chapter 194 of the Municipal Code relating to Daylight Saving Time and licensing hours.

Jane Romanowski:

Mr. President, as you can see this is basically just a cleanup of our ordinance due to the change in daylight saving time cycle which we kind of missed. As you can see this has been on the books

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for a while. Then also when I was making that change I noticed there was a duplication of the Class C wine dates and hours so I just deleted that so the ordinance is now up to date.

Monica Yuhas:

Motion to approve Ordinance 09-18.

Clyde Allen:

Second.

John Steinbrink:

Motion by Monica, second by Clyde. Further discussion?

Steve Kumorkiewicz:

Question. It looks to me that it's more for two gas stations and those convenience stores?

Jane Romanowski:

They can only sell until 9 or midnight depending on what they're selling. This is basically for taverns. You can see the Class A beer midnight to 8 a.m. they can't sell. So the daylight savings time only applies to the establishments like taverns.

Steve Kumorkiewicz:

Okay, thank you.

John Steinbrink:

Further comment or question?

YUHAS MOVED TO ADOPT ORDINANCE #09-18 TO AMEND CHAPTER 194 OF THE MUNICIPAL CODE RELATING TO DAYLIGHT SAVING TIME AND LICENSING HOURS; SECONDED BY ALLEN; MOTION CARRIED 4-0.

John Steinbrink:

We'll book back to the top of the calendar now and go to Item 6, Administrator's Report.

6. ADMINISTRATOR'S REPORT

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Mike Pollocoff:

I guess the only thing I have to report is one of the reasons I was late. I was at the Governor's tourism conference. Pleasant Prairie is going to be the sponsor of three triathlon sites. There was quite a few communities looking to see how we came up with the triathlons to begin with and what they can do to get them going. The former Danskin, now Trek Triathlon, it's about a million and a half dollar push into the economy for just what that one event brings. That was last year's numbers. So we're actually looking at two of those this year along with Pleasant Prairie.

We've been doing these now for eight years and they've gotten more successful each time. So when you look at the amount of dollars that have come in, and primarily it's just small businesses - on those days that the athletes are in you can't hardly go to a restaurant or a store on that weekend where you don't see either a lady or a gentleman with numbers on their legs and arms walking around shopping or eating. That's good business for the community. But it's also good business for the community over the long haul because those same people train in the off season. They're buying training shoes, equipment, they're training at RecPlex. They're keeping themselves in good shape and healthy and it's a good thing for the community.

I've talked to Dennis DuChene about how we can come up with a way to actually measure what impact those things are having year 'round rather than just the days of the events. But it was certainly something that was perceived with some desire by other communities in the State as to how we put this together. We got it put together with the Board, an excellent staff out at RecPlex and all the employees and the volunteers, 200 volunteers we pick up for each event to help it come off. That's all I have tonight, Mr. President.

John Steinbrink:

So we're still looking at Danskin . . . in September.

Mike Pollocoff:

Danskin will be September 27th. Trek will be on July 12th. Trek, of course, is a Wisconsin Corporation. They're sponsoring not just the race in Pleasant Prairie but a national sponsor. They're looking at the Pleasant Prairie race being the largest national race this year in the nation for a women's triathlon. We've kind of hovered around it I think between us and Seattle in the past. Their feeling is this year it will surpass that mark.

We're hoping for good things for the Pleasant Prairie Event. I think the relationship or the partnership with Trek, the Village and the Bureau and the State, the State with that change in triathlons they came across with a joint effort marketing grant which really gets that new name out there and it helps in the case of the former Danskin triathlon, gets everybody introduced to the new sponsor but the same team that's putting it together.

John Steinbrink:

Other questions for Mike?

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Steve Kumorkiewicz:

Yes . . . the other communities they want to take . . . away from us?

Mike Pollocoff:

No, I think they want to start their own. The Pleasant Prairie triathlon and the Danskin triathlon has been described as really good triathlons so they want to know the things that we did, things we put in place to make them a successful event. I was speaking at the conference with Maggie Sullivan, a representative from Trek, and Dennis DuChene to describe that. Maybe somebody would like to but I don't see that happening. But there's a lot of people who want to start their own. There are some places that have done their own and if it's not quality then it suffers for a year or two and then it's done.

Steve Kumorkiewicz:

The advantage is we've got the RecPlex. The RecPlex attracts a lot of people here.

Mike Pollocoff:

One thing, especially with the Trek triathlon or the former Danskin, the marketing information that Trek and Maggie Sullivan has produced when you have a female race and, as she describes it, when you girl it up so that the women like it, if it's a good experience one woman's good experience will relate to 29 more people hearing about it. Vice versa, if one woman has a bad experience, 29 people will hear about it that they didn't like it. Obviously, it's been a good event for us in the past.

Steve Kumorkiewicz:

Actually Danskin or Trek - which is going to attract more people here in your opinion?

Mike Pollocoff:

I think Trek will.

Steve Kumorkiewicz:

Past 5,000 or 4,000?

Mike Pollocoff:

I don't know. That's quite a few. Once we get past that 4,000 we start getting uncomfortable in the park. But Danskin is being operated by a group called SheRox which is a more competitive triathlon. Whereas the race that Maggie Sullivan has run is really more of an experience. Her goal is to make sure that people that do the race experience a good time and when they're done

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they're a different person. They know they can complete it and they can get it done. There's cancer survivors and a lot of people with different challenges, even challenges that might not be cancer related that are entering that race. Whereas the SheRox is probably going to be more like the Pleasant Prairie triathlon which is geared towards a higher level of competition.

John Steinbrink:

Seeing no further questions thank you, Mike. We'll move onto Item 8, Item A.

A. Consider 2009/2010 Liability and Property Insurance Proposals.

Mike Pollocoff:

Mr. President, I'll let Kathy describe this since she did all the work. There it is up there.

Kathy Goessl:

The chart that's on the overhead shows our premium from last year and the premium that's being proposed for this year. We are in our three year bid cycle right now, our final year, so we did not go out for bids openly. So our current carrier is now Liberty Mutual. It was Wausau and they've eliminated the Wausau name but still the same paper is written in the same forms and it's now under Liberty Mutual being under a new agency actually to Arthur Gallagher and actually a new sales rep, too, and she's here. Her name is Rita. She's here if you have any questions when I'm done.

So these are the comparisons basically on the liability portion of the cover that's provided by Liberty Mutual. There's a slight increase there of a little over \$5,000, and that's basically due to our exposures, our financial and our property exposures. We've increased the number of vehicles, we've increased the number of miles, those types of exposures, not because we've had a bad experience but because we have more vehicles and more roads, more people population wise and a little bit increase in payroll.

Workman's Comp is our biggest increase and that's pretty much set by the State in terms of what Liberty Mutual sets as our premium. The reason for this large increase is that they average the last three years and they give us what they call experience mod. Our experience mod jumped from .81 which is actually a great experience mod to a 1 which is basically average, what the average municipalities in the State have. Basically a good year dropped off and an average year added on to our premium or a higher experience year added on so it increased our premium \$55,000. Some of that increase is due to payrolls, too. Every year we increase payrolls and our Workman's Comp is based on the payrolls we have.

Also, property and auto damage is actually through the Local Government Property Insurance Fund, same as we had for a number of years. They are the most competitive priced plan for insurance coverage for that type of coverage. We've gone out in the past and usually most companies can't beat their pricing but also their service. They're pretty good in terms of issuing when we have a claim to process a claim and get our money back quickly.

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Boiler and crime insurance actually is with Hartford's Steam Boiler, and our old carrier Community Insurance is actually the agency that has come forth with that quote for boiler. The crime part is still with Wausau and that's a small portion of that premium, about \$500 for the crime portion.

So that's the total premiums totaling \$445,273, with an estimated dividend by Wausau of \$66,892. They're pretty much and historically have paid out their dividend levels. This is actually considered a flat dividend. It's not based on our experience. So we should be receiving that next year when we have our audit. So net premium a little less than \$50,000 increase.

We actually budgeted for \$413,614, so we're under our budget by almost \$35,000 across all enterprises and the general government. My recommendation is to renew with our current carriers which are primary Liberty Mutual and Local Government Property Insurance Fund and with our minor carriers which is Darwin National which is our errors and omissions which is included I believe in the liability section over there, and Hartford Steam Boiler and Hanover for crime. Do you have any questions for me or, Mike, do you have more information you want to provide?

Mike Pollocoff:

I just want to further explain the process of bidding. Getting the bids on insurance is an intensive effort. The agents have spent a considerable amount of time and we've spent a considerable amount of time presenting all the information from the miles of road we have, the equipment, the loose equipment, our history. It's a substantive document. In previous years we would do an annual bid and at times we were unable to get more than one bid sometimes because of the extent to which this thing is so large to put together.

We decided back in 2007 to get it out early, and in the RFP we identified that we were going to take a three year bid, but in the sense we wanted it both ways. We wanted to be able to say we'd enter into a three year contract if the insurance companies would. They weren't really inclined to do that, but on the other hand we wanted the ability to take and change amongst the three bidders, if their prices had changed we would go back to that same group and get another price. I think we've also given ourselves the room if another proposal came in from another carrier and they wanted to go through the work to put it together, we weren't going to do it for them, but if they wanted to put it together they could do that. That hasn't happened. Some people have looked at it but we really haven't had that happen. It takes typically about three months really from someone who hasn't done it to start fresh to get it all put together. This will be our last one for this year and then we'll decide and we probably will open it up for sure. But if we want to modify the RFP some before our next letting then we'll do that also.

John Steinbrink:

Comments or questions? If not.

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Monica Yuhas:

I'll make a motion to accept the 2009/2010 insurance proposals as presented.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Any comment or question now?

Steve Kumorkiewicz:

Kathy, Liberty Mutual used to be Wausau?

Kathy Goessl:

Liberty Mutual was over Wausau for a number of years but we always had the policy being written under Wausau. But now Liberty Mutual has decided to eliminate the Wausau name in terms of their marketing efforts and stuff. It's still written on Wausau paper but the name that they're marketing is Liberty Mutual.

Steve Kumorkiewicz:

Thank you.

John Steinbrink:

Thank you, Kathy. We have a motion and a second.

YUHAS MOVED TO AWARD THE 2009/2010 LIABILITY AND PROPERTY INSURANCE CONTRACT TO LIBERTY MUTUAL AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

J. Consider Intergovernmental Agreement with the Town of Bristol for the Town to act as lead agency in administering a public education and outreach project for the Southeast Wisconsin Clean Water Network.

Mike Pollocoff:

Mr. President, the Village of Pleasant Prairie is under mandated rules on storm water management under the Natural Resources Code 216. In that we need to provide for public outreach, education and public participation in storm water management, clean water management.

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There's a group of cities and villages and towns in Southeast Wisconsin that are contracting with the Pike-Root Watershed Initiative Network, and they are going to provide those services to the Village. It's basically on a revolving basis that one community is the lead agency to administer the plan. At this time now it's the Town of Bristol. This intergovernmental agreement provides for the Village of Pleasant Prairie to have that happen. Bristol is going to be entering into an intergovernmental agreement with all the communities that you see on page two in the second packet of the services.

The gross cost for the Village of Pleasant Prairie for a two year share is \$3,255. That's an expense within the Clean Water Utility that we'll have to add. In order to keep our program valid with the State we have to prepare for the program. So it would be my recommendation that the Village President and Clerk be authorized to enter into an intergovernmental agreement with the town of Bristol for the Root-Pike Watershed Initiative Network.

Steve Kumorkiewicz:

That goes a long way, all the way to Franklin in Oak Creek.

Clyde Allen:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve. Further discussion?

ALLEN MOVED TO APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF BRISTOL FOR THE TOWN TO ACT AS LEAD AGENCY IN ADMINISTERING A PUBLIC EDUCATION AND OUTREACH PROJECT FOR THE SOUTHEAST WISCONSIN CLEAN WATER NETWORK; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

L. Consent Agenda

- 1) Approve a Letter of Credit Reduction for the Devonshire Development.**
- 2) Approve a Letter of Credit Reduction for the Creekside Crossing Addition #1 Development.**
- 3) Approve a Letter of Credit Reductions for the Kings Cove Development.**
- 4) Approve a Letter of Credit Reduction for the Tobin Woods Development.**
- 5) Approve Bartender License applications on file.**

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John Steinbrink:

On the consent agenda the Tobin Woods Letter of Credit Reduction, Item 4) can be removed from the agenda. An extension of the letter of credit was received last Friday so there is no need for the reduction. So the consent agenda Items 1), 2), 3) and 5) can be approved and the motion can include the removal of Item 4) for consideration.

Clyde Allen:

Motion to approve 1), 2), 3) and 5) and pull Item 4).

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve. Any discussion on the consent agenda as amended?

ALLEN MOVED TO APPROVE CONSENT AGENDA ITEMS 1, 2, 3 AND 5 AND REMOVE ITEM 4 FROM THE AGENDA; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

9. VILLAGE BOARD COMMENTS

Clyde Allen:

If I can put a little kudo out. The new projector on the screen looked absolutely wonderful with the new colors and everything out there. Brian was here earlier but it looked great as passed the test during both meetings. So very nice.

Steve Kumorkiewicz:

One of the best things that happened to the Village when the old projector exploded.

10. ADJOURNMENT

YUHAS MOVED TO ADJOURN THE MEETING; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0 AND MEETING ADJOURNED AT 7:50 P.M.