

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
LAKE MICHIGAN SEWER UTILITY DISTRICT
9915 39th Avenue
Pleasant Prairie, WI
August 3, 2009
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, August 3, 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. Village Planner; Mike Spence, Village Engineer and Jane Romanowski, Village Clerk.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **MINUTES OF MEETING - JULY 20, 2009**

KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD MEETING OF JULY 20, 2009 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY YUHAS; MOTION CARRIED 5-0.

5. **CITIZEN COMMENTS – None.**
6. **ADMINISTRATOR’S REPORT**

Mike Pollocoff:

Nothing tonight, Mr. President.

7. **NEW BUSINESS**
 - A. **Receive Plan Commission recommendation and consider Resolution #09-27 to support an amendment to the Village Comprehensive Plan to change the land use designation of the property located at 9201 Wilmot Road and the approximate 17 acre parcel to the immediate east from the Commercial land use designation to the Industrial land use designation to coincide with the proposed M-1, Limited Manufacturing District rezoning of the properties.**

Tom Shircel:

Thank you, Mr. President. On July 27th, last Monday, the Plan Commission held public hearings and recommended approval to the Village Board of both the Comprehensive Land Use Plan map amendments and of the rezoning amendments. The Plan Commission recommended approval of the zoning map amendment with the stipulation that when the 9201 Wilmot Road building is 75

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percent or more leased that the owner shall be required to construct a new access driveway directly to County Highway H to accommodate truck traffic from the site.

Again, this request is twofold. It's for a Comprehensive Land Use Plan amendment which is Village Board Resolution 09-27, and that's the change the land use designation on these two properties which you see on the overhead from the current commercial designation to industrial designation. And the second request is for a zoning map amendment to rezone and that is Ordinance 09-46, and that's the change the zoning of the property which are Tax Parcel Numbers 91-4-122-084-0101 and 0102 from the current M-2, Heavy Manufacturing Zoning District to the M-1, Limited Manufacturing District. The owner is actively marketing the existing vacant building and overall site for light industrial land uses.

As some background information, this is the property formerly known as the Alfa Laval, Ladish, Tri-clover site. The main building was built in 1971 with an addition put on in 1979. And through the years basically from 2003 through 2006 there's been a series of site and operational plans and conditional use permits allowing Rust-Oleum to occupy that building. Since earlier this year or late last year Rust-Oleum has vacated the property. They are now in the City of Kenosha in an industrial building and they're in their park.

The Comprehensive Land Use Plan amendment, like I said, Resolution 09-27, again, if you look on the screen they're requesting to go from the commercial red into the industrial gray to coincide with the zoning request. As the Board is aware, according to Village policy and pending Smart Growth law, any rezoning has to comply with the underlying land use designation on the Comprehensive Land Use Plan Map. Then the associated rezoning, again, is to go from the M-2 District to down zone to the M-1 District which is the Limited Manufacturing, from Heavy to Limited Manufacturing.

The Plan Commission again, on July 27th, last Monday, and Village staff recommend approval of both the land use map amendment and the zoning map amendment as Ordinance 09-46. With that I'll turn it back to the Board.

Mike Serpe:

I guess to Mike, if the Village had control of H and with this new road that the Plan Commission recommended he puts in, would we force the issue of having bypass and deceleration lanes on H for any semis coming onto it?

Mike Pollocoff:

Yes.

Mike Serpe:

We would. And do you think the County would do the same?

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Mike Pollocoff:

Yes.

Mike Serpe:

Good. I'd move approval of 09-27.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde. Don't we already have those there with the apartments? There's a passing lane and a turn lane there.

Mike Pollocoff:

There's an acceleration lane coming out, but you need a—with the turning movements for trucks it would have to be a wider lane.

John Steinbrink:

Motion and a second. Any further discussion?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #09-27 TO SUPPORT AN AMENDMENT TO THE VILLAGE COMPREHENSIVE PLAN; SECONDED BY ALLEN; MOTION CARRIED 5-0.

- B. Receive Plan Commission recommendation and consider Ordinance #09-46 to rezone the property addressed as 9201 Wilmot Road and the approximate 17 acre parcel to the immediate east from the current M-2, Heavy Manufacturing District into the M-1, Limited Manufacturing District.**

Steve Kumorkiewicz:

I make a motion to approve Ordinance 09-46.

Monica Yuhas:

Second.

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John Steinbrink:

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

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #09-46 TO REZONE THE PROPERTY ADDRESSED AS 9201 WILMOT ROAD AND THE APPROXIMATE 17 ACRE PARCEL TO THE IMMEDIATE EAST FROM THE CURRENT M-2, HEAVY MANUFACTURING DISTRICT INTO THE M-1, LIMITED MANUFACTURING DISTRICT; SECONDED BY YUHAS; MOTION CARRIED 5-0.

- C. Consider request of David Marifern, President of the Prairie Ridge Homeowners Association, for an amendment to the Declaration of Restrictions and Covenants for the Prairie Ridge Subdivision.**

Tom Shircel:

Thank you, Mr. President. Again, if you look in your packets there was what looks like a ballot sent out from the homeowners association to the members of the Prairie Ridge Association, the residents there. Those are the first three pages. And if you look at the proposed amendment of the restrictions and covenants, the underlined items are the items to be inserted into the new language, and obviously the struck through items are to be deleted.

Just some highlights. Section 3.1, General Purpose, they have a new restriction there regarding fences. It's to restrict the installation of a fence upon a lot except with regard to a maintenance free aluminum wrought iron style fence around a swimming pool. Section 3.2 entitle Land Use and Building Type, no above ground pools shall be permitted, that's new language, upon a lot, except that a temporary pool may be installed so long as it is removed within the same season.

Just some other highlights here. Section 3.7, Easements Dedications and Obligations. I think they're just sort of in section (b) as in boy regarding entry monuments. I think they're just taking the reference to all the lots out there and just calling it the entrances to the subdivision. Same section, sub item (c), again, they're taking reference of the individual lots away and just saying the perimeter of the subdivision adjacent to roadside regarding the berm and the maintenance of that berm.

There are some other smaller amendments to these declarations. I believe Mr. Marifern is in the audience if he wants to come up to the podium to speak.

David Marifern:

Thank you, Mr. President and Trustees. David Marifern, 9650 84th Place, Prairie Ridge Estates. Basically what we're doing, this has been a two year work in progress. Our association was turned over from V.K. Development about two years ago. Subsequently, the previous president

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started these amendment changes. We carried on with these. We finally through grass roots and door-to-door knocking we got 75 percent of our membership in the neighborhood to ratify these changes. I want to thank you for the time that you've taken to look at these changes. We're not trying to reinvent the wheel here or anything. It's just some minor changes, some language changes of such.

One note about the fence restriction. Currently Prairie Ridge Subdivision has no fences as all at the perimeter of your backyard, although people who have in ground pools need to have fences, and those changes correspond with the Village ordinances regarding the height of the fence and the aesthetics of the fence. So basically it's just language changes. It's making our covenants line up with our bylaws and such. Once we get these changes amended, once we get the amendments clarified, then we're going to start all over again, because looking at the requests of some of the neighbors throughout the subdivision they'd like to see some changes. But we can't make changes upon changes until these are ratified first and then we'll start all over again. So, again, thank you for your time this evening and thanks for the official nod.

John Steinbrink:

Thank you. Mike?

Mike Serpe:

How many subdivisions or homeowner associations is the Village involved in with the approval of the changes in the covenants?

Mike Pollocoff:

Not very many. I want to say if it's four I'd be surprised.

Mike Serpe:

I don't have a problem with any homeowners association creating their own rules or regulations. Is there a way we can get out of doing this?

Mike Pollocoff:

No. It's part of the development agreement and it's recorded on the plat.

Mike Serpe:

So we're going to be a part of every time they make a change?

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Mike Pollocoff:

We'd have to get the majority of the owners to agree to let us out.

Mike Serpe:

I just think it would be good for you guys to do this but I guess we're stuck with it.

David Marifern:

My understanding is that these changes have to come forward so the Register of Deeds can note these on everyone's deed. So I believe if I go through you then I understand I don't have to go through 212 different inquiries into everyone's deed. That's how many people we have.

Mike Serpe:

So use us as the whipping boy.

David Marifern:

You're my whipping boy, that's right.

Mike Pollocoff:

I don't know if that's true, though, to be honest with you.

David Marifern:

That was information that I've got. If there's something that I need to do as the association President, as head of the association, please let me know. I understand that all the plots in Prairie Ridge Subdivision are under one deed with each lot listed on that.

Mike Pollocoff:

Oh, really? I guess I'd have to look at that.

Tom Shircel:

I'm not sure.

Mike Pollocoff:

If that works for you that's great.

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David Marifern:

If I don't have to do this that's fine, too. I could just go to a lawyer and have it squared away and give everyone a copy within my subdivision.

Mike Pollocoff:

I know you have to get the Village's approval for modifications, but I wasn't aware of a single document that would modify everybody's deed.

David Marifern:

That was my understanding. If I'm wrong then if we could get some clarification on that I'd appreciate it. Thank you.

Mike Serpe:

I'd move approval of the declaration of restrictions.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

SERPE MOVED TO APPROVE THE REQUEST OF DAVID MARIFERN, PRESIDENT OF THE PRAIRIE RIDGE HOMEOWNERS ASSOCIATION, FOR AN AMENDMENT TO THE DECLARATION OF RESTRICTIONS AND COVENANTS FOR THE PRAIRIE RIDGE SUBDIVISION; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

D. Consider Professional Services Agreement to review and analyze the Village's Supervisory Control and Data Acquisition System (SCADA).

Mike Spence:

Mr. President, over the past several months, the engineering department has been reviewing the Village's supervisory control and data acquisition system, and the acronym for that is SCADA. This is the Village system that allows for online computer-based monitoring and control of our water and sewer infrastructure at a central site. In an effort to approve our SCADA system and upgrade its capabilities, I thought it was necessary to put together proposals from two firms to

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conduct an assessment of our system, including the architecture and the software, how everything is put together.

We received two proposals. On the screen here I just wanted to show you a little bit. This is a screen shot of some of the current screens that we have. This particular figure shows basic alarms for pump stations and so forth. So there's really a lot of potential to use this system to operate our utilities, but I think we can do better. So, therefore, I've asked for proposals as I said, and I'm recommending that we accept the proposal from Ruckert-Mielke to do an evaluation of our system for \$7,000. Again, the assessment would look at the software, hardware and how our system is set up. The other thing is that we want to look at how it interfaces with our existing software, and then this assessment will make recommendations for improvements.

A couple things just right off the top of the bat that I think this will help with is we are currently going to be repainting our elevated storage tank at I-94, and our SCADA system isn't quite giving us the information that we would like right now to say what effect that will have when we have to take that power down. So, again, these are things that I think we can with this study it will allow us to utilize this system better. And with that I recommend approval.

Mike Serpe:

Is this a budgeted item?

Mike Pollocoff:

No, it wasn't, but we have funds in that budget to do it.

Mike Spence:

The other thing, just to answer that, too, I'm very confident that once we get the results of the study in and we implement some of its findings, I think the amount of the study, the payback will be—as a matter of fact, John Steinbrink, Jr., and I are meeting with somebody from the Waukesha Water Utility on Wednesday this week. They've got their SCADA system intimately tied with their kilowatt or their usage. So with our tiered rate system I think the potential for savings and covering this cost is great.

John Steinbrink:

We have Lake Michigan water, they have well water.

Monica Yuhas:

I move for approval.

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Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Further discussion, comment or question?

YUHAS MOVED TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH RUEKERT—MIELKE TO REVIEW AND ANALYZE THE VILLAGE'S SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM (SCADA); SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

E. Consider Award of Contract for glass, swimming pool and swimming pool bulk heads for the LakeView RecPlex 50 meter pool addition.

Mike Pollocoff:

Mr. President, we have three bids for award tonight. Riley Construction has reviewed the bids. The first one is package number 1. I'd like to award a contract for the glass. This is the outside glass for the windows out there. Klein Dickert was the low bid under contract 1.12 \$398,000. The next low bid was submitted by Alliance Glass at \$509,600.

The next bid is contract 1.14, swimming pool. Neuman bid was submitted at \$1,498,400. The next bid was submitted by Mechanical, Inc. At \$1,695,000. The next item to be awarded would be the bulk heads. We recommend that Neuman Pools be awarded that contract in the amount of \$320,390.

Mike Serpe:

All in line with pretty much what you proposed as estimated?

Mike Pollocoff:

The pool bid we had estimated approximately \$2 million for the pool bid. The glass is a little bit under and the bulk head is a little over, probably over on that one by about \$30,000. But I think overall we're tracking along. The last major thing we have to receive bids on, we do have some bids out right now on some interior finishes, electrical. The big thing that's still sitting out there we don't have a bid on yet is the HVAC system. We've taken a hit on the footings and the watering that I'm not necessarily happy with but we're going to be working through that problem here in the next couple weeks.

So I think the big variable right now that we have out there that could fluctuate us one way or another over the \$8 million is the HVAC. That being said, the advantage of the HVAC is that the

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design of it is to significantly reduce our operational costs. In essence we won't be using any natural gas in the building.

Mike Serpe:

Mr. Chairman, I move approval of the glass going to Klein-Dickert, the swimming pool going to Neuman and the swimming pool bulk head going to Neuman.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde. Further comment or question?

SERPE MOVED TO AWARD CONTRACTS FOR THE INSTALLATION OF GLASS TO KLEIN-DICKERT, THE SWIMMING POOL GOING TO NEUMAN AND THE SWIMMING POOL BULK HEADS TO NEUMAN FOR THE LAKEVIEW RECPLEX 50 METER POOL ADDITION AS PRESENTED; SECONDED BY ALLEN; MOTION CARRIED 5-0.

F. Consider Award of Contract for a new roof at Fire Station No. 1.

Mike Pollocoff:

Mr. President, we requested sealed bids for a new roof over at Station No. 1. That roof is the original roof. I don't know why it hasn't held up any better than it has. On these bids, Carlson Racine Roofing & Sheet Metal submitted the low bid at \$15,320, and we're recommending that the contract be awarded to Carlson.

Monica Yuhas:

So moved.

Steve Kumorkiewicz:

Second with a question.

John Steinbrink:

Motion by Monica, second by Steve. Steve?

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Steve Kumorkiewicz:

Yes, that's a metal roof and also rubber on top?

Mike Pollocoff:

The deck is metal and then we'll be putting a rubber membrane on top of it.

Steve Kumorkiewicz:

Okay, thank you.

John Steinbrink:

And how old is that roof, Mike?

Mike Pollocoff:

It's 42 years old.

Clyde Allen:

Mike, what was the amount budgeted for the roof?

Mike Pollocoff:

I think we budgeted \$18,000.

Clyde Allen:

Thank you.

John Steinbrink:

Motion and a second. Further comment or question?

YUHAS MOVED TO AWARD A CONTRACT TO CARLSON ROOFING TO INSTALL A NEW ROOF ON FIRE STATION NO. 1 IN AN AMOUNT NOT TO EXCEED \$15,320; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

G. Consider 2010 State of Wisconsin Department of Commerce Local Program Operator Contract for below ground waste oil tank inspections.

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Mike Pollocoff:

Chief, can you come up and walk the Board through this one?

Chief Guilbert:

I'm Paul Guilbert, Jr., Chief of Fire and Rescue. I'm at 8044 88th Avenue. The State of Wisconsin has a program where they contract with local municipalities or with private contractors to oversee the installation, removal and annual inspections of above ground and below ground fuel storage tanks. We've been involved in this program for over ten years. They've submitted a revised contract and what they're removing, they're no longer requiring their private contractors or the municipality such as Pleasant Prairie to have to review above ground waste oil storage tanks. So where at one point the automotive parts store in Town and Country Shopping Center, the name went right out of my head, they would collect waste oil. We collect it at the Prange Center as part of a community hazardous waste program. You can drain the oil from your car and take it there, but some automotive service centers would take that in from private citizens and we had to inspect that. They're saying we no longer have to do that. That caused a revision in the contract and that's why that contract is before you tonight.

John Steinbrink:

Chief, this is strictly the above ground ones?

Chief Guilbert:

For waste oil?

John Steinbrink:

Right.

Chief Guilbert:

That's what we were looking at, yes.

Mike Serpe:

You were involved in the inspection of these?

Chief Guilbert:

Yes.

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Mike Serpe:

And now who is going to do that?

Chief Guilbert:

They're not going to have to be inspected as far as the State is concerned. That's not to say we won't look at them on our regular fire inspections.

Mike Pollocoff:

But they're not going to reimburse us for it.

Mike Serpe:

They're not going to pay us for it but we're still going to check them?

Chief Guilbert:

We're still in there anyway.

John Steinbrink:

Kind of like mowing your median.

Mike Serpe:

Have you ever found any with some problems?

Chief Guilbert:

No, not as far as waste oil is concerned. But by us going in and checking their records throughout the industrial park for when they're supposed to have their annual inspections done, we've found that they have discovered problems and they've taken care of those issues. But it's just an additional local oversight.

Mike Serpe:

So we're voting to accept the State's backing out of the reimbursement program for the fire department to do this inspection?

Steve Kumorkiewicz:

We don't have any choice.

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Mike Pollocoff:

I guess the recommendation would be to receive and file, and we'd be signing the contract for an individual saying that we're going to receive less funds from them for the services we have to provide.

Mike Serpe:

Move to receive and file.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further comment or question?

Mike Serpe:

Put this right next to the median.

Steve Kumorkiewicz:

They mandate more and more and it's less and less money.

SERPE MOVED TO APPROVE, RECEIVE AND FILE A 2010 STATE OF WISCONSIN DEPARTMENT OF COMMERCE LOCAL PROGRAM OPERATOR CONTRACT FOR BELOW GROUND WASTE OIL TANK INSPECTIONS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

H. Consider Bartender License applications on file.

Clyde Allen:

Motion to approve bartender licenses.

Monica Yuhas:

Second.

John Steinbrink:

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

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ALLEN MOVED TO APPROVE THE BARTENDER LICENSES FOR ASIF A. KHAN AND SHERAZ A. KHAN; SECONDED BY YUHAS; MOTION CARRIED 5-0.

8. VILLAGE BOARD COMMENTS

9. ADJOURNMENT

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