

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY**

**9915 - 39th Avenue
Pleasant Prairie, WI
June 17 2013
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, June 17, 2013. Meeting called to order at 6:00 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, Assistant Administrator; Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Police Chief; Doug McElmury, Fire & Rescue Chief; Mike Spence, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, HR and Recreation Director and Vesna Savic, Deputy Village Clerk. Seven citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - JUNE 3, 2013**

KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE JUNE 3, 2013 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY ALLEN; MOTION CARRIED 5-0.

Michael Serpe:

Mr. Chairman, our Public Works Director is going to be late for a meeting now. I would ask that Items A and B be brought forward now so we can hear them so he can make his next meeting.

Clyde Allen:

Second.

John Steinbrink:

Motion to move New Business Items A and B forward. Motion by Mike, second by Clyde.

SERPE MOVED TO CONSIDER NEW BUSINESS ITEMS A & B BEFORE THE PUBLIC HEARING; SECONDED BY ALLEN; MOTION CARRIED 5-0.

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8. NEW BUSINESS

- A. Consider Resolution #13-12 certifying the creation, review and adoption of the Compliance Maintenance Annual Reports for the Wastewater Facilities in the Village of Pleasant Prairie.**

John Steinbrink, Jr.:

Mr. President and members of the Board, every year the DNR requires us to complete a compliance and maintenance annual report better known as a CMAR. It's a reflection - it's really a self-assessment of the financial status of the sewer utility. It talks about different items as how much money that we have right now, what our replacement funds are, what our future planning capital, CIPs, any sanitary sewer overflows that we may have. It takes a bunch of factors, and then we get a grade as a result of going through and calculating all those factors.

I'm pleased to say that we did receive an A as a result of the CMAR so that is good news. There are a couple things that we can do a little bit more to work on the low end of an A. We can bump it up. But those are things that we'll be bringing forth through the budget process. And one of the requirements of the CMAR is having a resolution which you have in front of you this evening. So if you guys have any questions about the CMAR I can answer them at this time. Otherwise I would move approval.

YUHAS MOTIONED TO APPROVE RESOLUTION #13-12 CERTIFYING THE CREATION, REVIEW AND ADOPTION OF THE COMPLIANCE MAINTENANCE ANNUAL REPORTS FOR THE WASTEWATER FACILITIES IN THE VILLAGE OF PLEASANT PRAIRIE; SECONDED BY KUMORKIEWICA; MOTION CARRIED 5-0.

- B. Consider Resolution #13-13 authorizing the disposal of surplus vehicles.**

John Steinbrink:

Mr. President and members of the Board, this is that time of year where I get to show you some of those nice vehicles that we're getting rid of. Public works is very excited to be getting rid of these. They have exceeded their useful life. The first one that we have was a diesel regular pickup truck in 1994. The bed had rusted out so we bought a used service body, and it's been the mechanic's vehicle. We were fortunate enough to go down to an auction this year and buy a nice used service vehicle, a little bit larger vehicle, a little bit newer vehicle, and we will be replacing it with this vehicle.

The next one that we are getting rid of I think it's been through pretty much every department within the Village. I know it was by inspections, it was by CD and then ended up over at public works, the graveyard of vehicles. And this also, too, has exceeded its useful life. And we did purchase a vehicle through the estate bid contract to replace this vehicle. So I'm looking for authorization to auction these vehicles off in July.

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KUMORKIEWICZ MOVED TO APPROVED RESOLUTION #13-13 AUTHORIZING THE DISPOSAL OF SURPLUS VEHICLES; SECONDED BY ALLEN; MOTION CARRIED 5-0.

5. PUBLIC HEARING

A. Consider renewal of the Class "A" Fermented Malt Beverage license for BP AM/PM located at 10477 120th Avenue.

Mike Pollocoff:

Mr. President, the Village Clerk can't be with us tonight. She prepared a memorandum reflecting the request of BP AM/PM to renew their Class A fermented malt beverage license for the station located at 10477 120th Avenue. It was received by the deadline, and the reason we were holding it was because we were still working through the conditional use permit process for this facility.

On May 28th the Village approved a one year extension for the conditional use permit for this business. Therefore, the renewal application before the Board is up for consideration. It would still be only for one year. The community development department, engineering, building inspection departments have indicated there are no outstanding code violations at the time. The fire department is waiting for a payment of a re-inspection fee and two letters relating to its occupancy. There are also delinquent property taxes in the amount of \$26,484.65.

The Clerk is recommending that the license be renewed from July 1, 2013 through June 30, 2014 subject to payment of license and publication fees in the amount of \$410, payment of delinquent 2012 property taxes in the about of \$262,484.65, payment to the fire department of a \$50 re-inspection fee from May 2, 2013, receipt of a letter to the fire department with respect to fire extinguisher compliance, and receipt of a letter to the fire department stating that the project complies with the comments in the Village staff memorandum from fire and rescue dated November 8, 2012.

John Steinbrink:

This being a public hearing I am going to open it up to public comment or question.

Vesna Savic:

No one has signed up.

John Steinbrink:

Anyone wishing to speak? Anyone wishing to speak? Anyone wishing to speak? Hearing none I'm going to close the public hearing and open it up to Board comment or question.

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Steve Kumorkiewicz:

I don't know why there's nobody from BP here tonight. Evidently they don't want this being approved. I don't know.

Michael Serpe:

At the Plan Commission meeting, Steve, we discussed a number of things including giving them a year's extension on their project including -- so this would include and come due at the same time that the other licenses in the Village would come due. So we kind of brought this altogether so it would be a lot easier on staff and everybody else. And I'd move approval of the license subject to the conditions set forth by the Clerk.

Monica Yuhas:

Second.

John Steinbrink:

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

SERPE MOVED TO APPROVE RENEWAL OF THE CLASS "A" FERMENTED MALT BEVERAGE LICENSE FOR BP AM/PM LOCATED AT 10477 120TH AVENUE; SECONDED BY YUHAS; MOTION CARRIED 4-1 WITH KUMORKIEWICZ DISSENTING.

6. Citizen Comments

Vesna Savic:

No one has signed up.

John Steinbrink:

Anyone wishing to speak under citizen comments?

Van Wanggaard:

Good evening everybody. I'm Van Wanggaard, and I'm just coming down to visit you because I plan on being your next senator for this district again. I'm running for the State Senate, and I look forward to working with all of you. I see a lot of familiar faces. You guys do a great job down here, and it's kind of fun to just sit and listen. So I'll be poking my head in once in a while. If there's something I can help you with be sure you let me know. Thank you.

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John Steinbrink:

Thank you. Anyone else wishing to speak under citizens' comments? If not, I'm going to close citizens' comments.

7. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Mr. President, I want to remind the Board that this weekend will be the Pleasant Prairie Triathlon, so we'll have some minor road closings throughout Sunday morning. The roads should be open by 10 or 11 I'm hoping. I haven't heard the exact count of how many participants we're going to have, but I think it's going to be at least what we had last year. That's all I have at this time.

John Steinbrink:

Thank you, Mike.

8. NEW BUSINESS

C. Receive Plan Commission recommendation and consider Ordinance #13-21 to amend the 2035 Comprehensive Plan relating to the establishment of a new manufacturing zoning district generally located in the vicinity of STH 31 and Springbrook Road and along the I-94 corridor south of STH 165.

Jean Werbie-Harris:

Mr. President, I'd ask if all three Items C, D and E can all be taken at the same time with separate action.

John Steinbrink:

Board concurs.

D. Receive Plan Commission recommendation and consider Ordinances #13-22 and #13-23 to create Section 420-125.1 of the Village Zoning Ordinance entitled M-5 Production Manufacturing District and to amend Section 420-100 A (1) to include the M-5, Production Manufacturing District in the list of basic zoning districts established in the Village.

E. Receive Plan Commission recommendation and consider Ordinance #13-24 to rezone several parcels of land relating to the establishment of an M-5 Production Manufacturing District generally located in the vicinity of STH 31 and Springbrook Road and along the I-94 corridor south of STH 165.

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Jean Werbie-Harris:

The first item is Item C, receive Plan Commission recommendation and consider Ordinance 13-21 to amend the 2035 Comprehensive Plan related to the establishment of a new manufacturing zoning district generally located in the vicinity of State Highway 31 and Springbrook Road and along the I-94 corridor south of Highway 165.

Item D, receive Plan Commission recommendation and consider Ordinances 13-22 and 13-23 to create Section 420-125.1 of the Village zoning ordinance entitled M-5, Production Manufacturing District, and to amend Section 420-100 A (1) to include the M-5, Production Manufacturing District, in the list of basic zoning districts established by the Village.

And Item E, receive Plan Commission recommendation and consider 13-24 to rezone several parcels of land related to the establishment of the M-5, Production Manufacturing District, generally located in the vicinity of Highway 31 and Springbrook Road and along the I-94 corridor south of Highway 165.

The M-5, Production Manufacturing District, is a district that was recommended and referred to the Village staff by the Plan Commission for review. Public hearing on this district and the related items were before the Plan Commission this evening. The M-5 District would allow for specific manufacturing production and office-related uses on properties located adjacent to the LakeView Corporate Park. The M-5 District reflects an enhancement of the Village's public policy of sound and diversified economic development.

While there have been and still are sufficient economic opportunities for the construction of warehouses and distribution facilities in the existing corporate parks, it's important to conserve land resources and economic infrastructure support in order to assist in providing more employment in the Village. The M-5 District promotes and encourages production, manufacturing and office-related employment as the primary use with warehousing and distribution to be an ancillary or a secondary use on these properties. The M-5 District encourages and promotes more intensive land uses which would, in turn, promote greater employment opportunities in proximity to I-94 and State Highway 31. The Village's goal would be to increase the number of jobs per acre which is good for our community.

The zoning text amendments would be to create, again, 420-125 to M-5 Production Manufacturing, again, to provide for manufacturing, assembly, office, warehouse and development uses with limited warehouse and distribution. Specifically when I refer to limited warehouse and distribution I'm saying that only 30 percent of the building would be able to be used for separate and distinct warehouse and distribution related services or uses.

Specifically, if a company is manufacturing, for example, or assembling a product and they are storing raw materials or distributing their product, that warehousing of that type of product is not be considered as part of that 30 percent. So this would be already pre-assembled product that is being stored in the facility and then shipped out. That is what is limited to that 3 percent. Also, to amend Section 420-100 A (1), and this is related to the districts, again, so that it's listed specifically in the listing of various districts of the Village within the text of the ordinance.

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Specifically there are mainly three areas that we're looking for the zoning map amendments. The first area is south of 165 and south specifically of Momper's Woods, west of Green Bay Road and north of Springbrook Road. The tax parcel numbers involved in this specific area are Tax Parcel Numbers 92-4-122-273-0156 owned by the Citizens Bank of Mukwonago; 92-4-122-342-0100 owned by Rabin and Lynn, LLC; and 92-4-122-342-0300 owned by VPX Farm, LLC; and 92-4-122-331-0150 owned by Rabin and Lynn, LLC.

This is an area of the Village that is currently zoned M-2 which is a General Manufacturing District and an AGO, an Agricultural Overlay District. This is also an area that is not in a heavy manufacturing area or high hazard area. It's already in a low hazard area of the M-2. So what we'd be proposing to do is to change that M-2 District AGO to an M-5 District. Existing nonconforming agricultural uses would be able to continue on the property insofar as they don't discontinue that use or that ag related use for more than 12 months.

The next area is the area that is just east of I-94, south of 116th Avenue or south of 110th Street. And this is an area that is currently zoned A-2, General Agricultural District. So, again, agricultural uses are consistent on that property. There are, just like with the previous property, areas that are zoned C-1, FPO for floodplain, C-1 for wetlands and shoreland overlay. Those areas would all remain intact on these properties at this time unless detailed delineations would necessitate their rezoning.

The Tax Parcel Numbers include 92-4-122-303-0101; -304- 0200; -311-0200; -312-0305; and -312-0310, and these are owned by James Hart and Delaine Farm Partners. The next property is -303-0300 owned by Ries Partners; -312-0100 owned by Otto Sprenger Trust Revocable Trust; and -312-0150 owned by Kathleen Johnson. As part of the Plan Commission recommendation one of the modifications that was made from them at their meeting was that the property that's owned by Dr. Ries that's identified on this as -- I'm not sure which one it was. There was one property that was identified for Dr. Ries's property, and I'll get the tax parcel number. It's this property here. It's just immediately south of Premium Outlets. That is one property that was recommended by the Plan Commission not to be rezoned, to be left in its agricultural A-2 designation and on the Comprehensive Plan to remain as that commercial region or retail. So that's one property in particular that I'll have some further discussion on that is not proposed by Plan Commission to be modified.

And then the last area is that area west of I-94 at approximately the 11300 block of 120th Avenue, the West Frontage Road. This area is currently zoned B-2, Regional Retail District, or A-2, General Agricultural District. And the Tax Parcel Numbers identified here are 91-4-121-254-0122; -254-0401; -254-0406, and these are all owned by the Pleasant Prairie Community Development Authority. And then a second property to the west of the CDA land is owned by Dr. Ries or the Ries Partners LP, and that's identified as 91-4-121-254-0301.

As part of the request this evening are some Comprehensive Plan Amendments. Again, one of the first amendments is in the area that's identified in green right to the west of the I-94 and the West Frontage Road is to include this area within the planning description and to amend Map 1.2 to include the corporate boundaries of that parcel as well as the area identified, it looks like a

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forwards L, that red area. Those are the two areas that were recently annexed into the Village in 2010 and 2013 respectively. Those need to be reflected as plan amendments for the Comprehensive Plan.

Again, as part of the Comprehensive Plan amendment, you have this evening we need to specifically identify a general description of the Product Manufacturing District within the Comprehensive Plan. It's the same purpose and intent that's been identified as part of the zoning, but this kind of clearly sets for what that district is intended for, manufacturing, assembly, office, research and development with limited warehouse and distribution uses.

With respect to the Comprehensive 2035 Land Use Plan Map 9.9, the map will also be amended and modified to reflect those areas with the letter P for production. So the three areas that I just referenced, again, just west of Green Bay Road, those areas will be identified on the Comprehensive Plan as the gray for general industrial but specifically related to the production manufacturing designation. They have an urban reserve land use designation at this time because they aren't fully improved lots because they do not have sewer and water and public roadway directly to these lots at this time. I assume that that will happen at some point in the future when these lot areas do develop.

The next area is that area just east of I-94 just east of the East Frontage Road, and those are the areas that were specifically being modified in the Comprehensive Plan from the red or that commercial freeway oriented regional retail district. And they are going to be reflective of that production manufacturing. Again, the only exception on this map is that area that Tom had pointed to before that's immediately south of Premium Outlets. And that area will remain as this regional retail designation for commercial.

The last is the area west of the Interstate and, again, just west of I-94 and the west frontage road. And, again, this area will be reflective of that production manufacturing land use designation instead of the commercial designation. And the P for production manufacturing will be identified on the land use plan map. Again, there's narratives and notes that do need to be updated to reflect these changes as well.

So with that, Mr. President, there are three areas that we are looking to modify, and it will include zoning map amendments, text amendments and Comprehensive Plan amendments. One of the things that was brought up at the Plan Commission meeting the Village has been doing a great deal of strategic planning for these districts for these areas. We have been examining these areas for transportation-related improvements, we've initiated grant requests. We've initiated TIAs, traffic impact analyses in all these areas to look at how the infrastructure is going to be able to handle the increase in employment that could be generated from these new uses that could locate in these areas. So we are working on some comprehensive plans in these areas as well. And all of these items will be coming to you in the very near future as we go through that planning process. So just to clarify we have been working on this for quite some time, and we will be presenting all of this information to you as we advance through the process.

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Mike Pollocoff:

I might also add in addition to Jean's comments is that when you look at the strategic planning that the Village has gone through to eliminate the blight along the I-94 corridor, taking the bookstores out, the fireworks stands, the RV yards, the military salvage yard, every thing you can think of, and we installed infrastructures that would provide the capacity to be able to treat sewer and water, convey everything in there.

And then on the east side of the interstate the development was done with the LakeView Corporate Park. The world didn't end at LakeView Corporate Park. We designed it to be able to grow beyond that and provide additional uses. And we're at that point where that's a reasonable thing to take place. So there has been significant planning. And part of the problem, or maybe part of the issue is the plan was I think put together pretty well, and in a sense it enables us to grow beyond what we've put in initially, and that infrastructure is there for us to take advantage of. So maybe in part the plan is a little bit old.

But as I said in the Plan Commission we need to be cautious where we send TIF dollars because the State is going to penalize us for -- under a levy limit we're not going to be able to get a return on something that doesn't have jobs. Even then we won't get a return on it. At least it will have an indirect impact on it. But our levy will be frozen. So no matter how much we grow it doesn't mean it's going to bring more tax base. It's going to lower taxes and we'll have to find ways to accommodate that growth. So it's all the more important that we don't create tax districts that are going to put in massive structures that are not going to be job intensive. And I think with that said I think that it's my recommendation that the Village limit any additional use of TIF dollars for other than existing established districts for warehouse and distribution.

Michael Serpe:

Since we've laid out the Corporate Park and created TIF districts we've always had a place where job creation could be had. And you just have to ask yourself how many more jobs would we have been able to create in this park had we had a cooperative partner with the Kenosha Water Utility. And now to come up with an M-5 District that hopefully gets some manufacturing here that doesn't require a whole lot of water use is a good plan.

Again, and I'll repeat myself as I said it before, I don't care if the factory ends up in Pleasant Prairie, Bristol, Somers or Paris Township. If it brings jobs it's good for the region. But right now we have the controller of the water preventing us from doing that. This whole thing is in the hands of the Public Service Commission. I hope they see this in the right way, and I hope they allow us to proceed forward and attract the businesses or the companies that can create jobs. Right now they're fighting us for it and it's wrong. So I totally support all three of these items, and I'd make a motion on 13-21.

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Jean Werbie-Harris:

I just wanted to clarify in the zoning text amendment that on page 9 where we talk about glazing for manufacturing that I modified the 10 percent to 5 percent so as you go through the process with the zoning text amendment.

John Steinbrink:

And we need a roll call vote.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #13-21 TO AMEND THE 2035 COMPREHENSIVE PLAN RELATING TO THE ESTABLISHMENT OF A NEW MANUFACTURING ZONING DISTRICT GENERALLY LOCATED IN THE VICINITY OF STH 31 AND SPRINGBROOK ROAD AND ALONG THE I-94 CORRIDOR SOUTH OF STH 165; SECONDED BY ALLEN; ROLL CALL VOTE – STEINBRINK AYE; YUHAS – AYE; KUMORKIEWICZ – AYE; ALLEN – AYE; SERPE AYE; MOTION CARRIED 5-0.

YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCES #13-22 AND #13-23 TO CREATE SECTION 420-125.1 OF THE VILLAGE ZONING ORDINANCE ENTITLED M-5 PRODUCTION MANUFACTURING DISTRICT AND TO AMEND SECTION 420-100 A (1) TO INCLUDE THE M-5, PRODUCTION MANUFACTURING DISTRICT IN THE LIST OF BASIC ZONING DISTRICTS ESTABLISHED IN THE VILLAGE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #13-24 TO REZONE SEVERAL PARCELS OF LAND RELATING TO THE ESTABLISHMENT OF A M-5 PRODUCTION MANUFACTURING DISTRICT GENERALLY LOCATED IN THE VICINITY OF STH 31 AND SPRINGBROOK ROAD AND ALONG THE I-94 CORRIDOR SOUTH OF STH 165; SECONDED BY SERPE; MOTION CARRIED 5-0.

F. Consider the request of Dustin Harpe of Harpe Development to amend the Access Restriction for Lot 63 in Ashbury Creek.

Jean Werbie-Harris:

Mr. President, this is a request from Dustin Harpe of Harpe Development. And they are looking to modify and get an amendment for the access restriction that is for Lot 63 in the Ashbury Creek Subdivision. This is located at the corner of 94th Avenue and 94th Court. Pursuant to the final plat for the Ashbury Creek Subdivision, the driveway shall be located a minimum of 100 feet from the center line of 94th Avenue. Due to the slope of the property, however, the garage on the western side of the home does not seem to work due to the significant grade changes. The top of foundation is set at 711.5, and the elevation along the western property line varies from 704 to 705 approximately. This side of the property is suited for a partially exposed basement, therefore

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a garage is proposed to be located on the east side of the house with a driveway somewhat closer than 100 feet to the center line of the adjacent intersection.

The access restriction is proposed to be amended to allow for the center line of the driveway to be reduced by 12.3 feet. So it would be set back a distance of 87.7 feet from the center line of the intersection of 94th Avenue and 94th Court to the driveway. The staff has taken a look at this and finds no objection to the request and recommends approval.

Michael Serpe:

How did this happen?

Jean Werbie-Harris:

Well, I guess what happened was basically they were proposing to do a certain type of a home on the lot, but there is a significant grade change from the corner, the southeast corner of this lot to the next lot over. There's like a seven foot grade change. So based on the style of the home that you pick it could cause some significant problems. So they shifted it over as far as they could. They're working with a home that's going to have a walk out or a look out basement. And we pushed it as far away from the intersection as possible.

The other option would be or could be that the driveway could come off of 94th Avenue. And since 94th Avenue serves as a local collector through that development and all the way up through Prairie Ridge, it's best that the driveway actually come off of 94th Court rather than 94th Avenue. So the staff recommends that based on the grade elevations and the changes and the placement of the home and to avoid it being placed on the local arterial we recommend that it be approved.

Michael Serpe:

Is there going to be any drainage problems from one lot to the next with the grade difference?

Jean Werbie-Harris:

The developer is here, you could ask him specifically that question. But they're designed so that that doesn't happen.

Michael Serpe:

I've heard that before.

Jean Werbie-Harris:

They're leaving the existing drainage patterns where they are. They are not amending them.

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John Steinbrink:

Give us your name and address for the record.

Dustin Harpe:

Dustin Harpe, 7530 39th Avenue. Like she said we're not actually changing any of the lot line grades. We just want to drop the -- originally we had the garage on the left, but it was going to be way too steep for anybody to mow or really do anything with it. So if we're able to flip flop it like this we can then drop the grade on the left side of the house and then reduce that to maybe two and a half foot pitch where it's more manageable. So if anything the water is not going to rush as fast on there. But the lot lines are staying exactly the same. I'm not sure how that went through in the first place but it is what it is I guess.

Clyde Allen:

Make a motion to approve to amend the access restriction.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Clyde, second by Monica. Any discussion? Jean, I notice out there a lot of the water shut offs are located in the driveways. Is there a reason for that?

Jean Werbie-Harris:

They should be. Village Engineer? They should be.

Mike Spence:

The laterals or the services were obviously put in before the homes were built. The only thing I know now is that when they built a house and they do have the shut off is in the driveway we make them sign an indemnification that if we ever have to go in there. But I don't know why. Again, this is the way it was set up originally. I don't know why there's a propensity of so many of them there. I can't tell you.

Mike Pollocoff:

It has to be caught when they're doing the plan review. And if they don't catch it in that plan review and look at where the lateral is then they're going to approve the plan with the driveway wherever it is. That's something the Village should catch ahead of time when we have it.

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Mike Spence:

We've caught a bunch of them since I've been here that are in the driveway and we make them change it.

John Steinbrink:

By flip flopping the driveway probably you'll miss it that way. Alright, we have a motion and a second. Any further discussion?

ALLEN MOVED TO APPROVE THE REQUEST OF DUSTIN HARPE OF HARPE DEVELOPMENT TO AMEND THE ACCESS RESTRICTION FOR LOT 63 IN ASHBURY CREEK; SECONDED BY YUHAS; MOTION CARRIED 5-0.

G. Consider Resolution #13-14 authorizing writing off assets with initial cost under \$5,000.00.

Kathy Goessl:

Mr. President and the Village Board, this resolution before you, back in September 2011 the Village Board approved a change in the fixed asset capitalization policy increasing the capitalization value from \$2,000 to \$5,000. The Village finance department is currently in the process of cleaning up our databases because we are going through a software conversion with Tyler with an implementation go-live date for fixed assets of this October 1, 2013.

I'm asking to write off assets with initial cost of \$5,000 or less. These assets in total are a little less than \$2 million, but their current book value is around \$450,000. These assets were purchased over the 20 plus years across both government and enterprise funds. And whereas the recommended write off is only 3 percent of our current fixed assets book value of \$15 million.

Included in your packet is a summary by fund of how much the book value and the asset value is by fund. And then there's also a detailed listing of all the assets that we're looking at writing off. So I'm, therefore, recommending writing off these assets. If you have any comments or questions on my recommendation.

Clyde Allen:

Kathy, looking on the list that there's items let's just say prior to 1990. I guess I see some that still have -- well, how do I want to phrase this. Before we treated assets under \$5,000, before we went to the \$5,000 limit, why do we still have items purchased before let's say 1990 that have not been depreciated fully if we have a book value on items that old.

Kathy Goessl:

There's probably not a book value on the ones prior to 1990. They have an actual initial value prior to 1990. Our asset value -- you can see some of these assets were actually less than \$2,000

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prior to I'm not sure when we changed to \$2,000, but we were at \$500 when I first started in the early '90s. So the summary by year is initial value of these assets. The book value of a lot of that stuff prior to 1990 is zero probably. As we get closer to in the late 2000s, 2010, 2011, those actually have value to them right now. But the earlier stuff this is just the actual initial cost of these items that were still on the books.

Clyde Allen:

Okay, so what you're saying is what the current book value, the \$450,000, are all the more recent items from 2010, 2011?

Kathy Goessl:

Yes. All these assets are on our books, and these are the initial cost of them. And some of them were prior to 1990 up to 2011.

Clyde Allen:

Okay, so everything has been written off --

Kathy Goessl:

We haven't written anything off in terms --

Clyde Allen:

Not written off but depreciated in full their worth.

Kathy Goessl:

Yes, they were depreciated in full except for the later years, and those have a value of \$451,000. There could be some little value in the earlier years, but the majority of the value is actually in the more recent years.

Clyde Allen:

Okay, so we were depreciating per schedule.

Kathy Goessl:

Were depreciating the assets, yes. So this will clean up our database and have only assets \$5,000 or more on our database in all years.

ALLEN MOVED TO APPROVE RESOLUTION #13-14 AUTHORIZING WRITING OFF ASSETS WITH INITIAL COST UNDER \$5,000.00; SECONDED BY YUHAS; MOTION CARRIED 5-0.

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H. Consider denial of an invoice submitted by Ron Sierra for perceived use payments on parcel #93-4-123-203-0200.

Mike Pollocoff:

Mr. President, we received a bill from Mr. Carlos Sierra contending that the Village owes him \$500 a day for what he perceives as diminished use of his property. He does have property that's in the Carol Beach area in the primary environmental corridor. There are steps and processes where he can apply to the State and federal government for a delineation of his property to determine what's billable and what isn't. That was done previously, and he allowed that to expire. That doesn't mean once it's expired that there is no limitations.

My recommendation is that this claim that we owe him \$500 a day for the use of his property I'd recommend that be denied. I've also included in your packet correspondence from Attorney Mayew who contacted the Army Corps of Engineers in the State indicating that Mr. Sierra has the opportunity to proceed with the development of his parcel, and there's some steps he needs to follow to do that. But the first step isn't to bill the Village for his perceived loss of use. So with that I'd recommend that the claim be denied from the current list of claims.

Steve Kumorkiewicz:

Motion to deny.

Michael Serpe:

I'll second it with a question.

John Steinbrink:

Motion by Steve, second by Mike. Mike?

Michael Serpe:

I know it's Mr. Sierra. Is this the same parcel we had discussion on a few years back?

Mike Pollocoff:

Right.

Michael Serpe:

Things just don't change.

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John Steinbrink:

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

KUMORKIEWICZ MOVED TO DISREGARD AND DENY PAYMENT OF THE INVOICE SUBMITTED BY RON SIERRA FOR PERCEIVED USE PAYMENTS ON PARCEL #93-4-123-203-0200; SECONDED BY SERPE; MOTION CARRIED 5-0.

I. Consent Agenda

- 1) Approve Operator License Applications on file.**
- 2) Approve Renewal Operator License Applications on file.**
- 3) Approve Police and Fire Commission reappointment.**

ALLEN MOVED TO APPROVE CONSENT AGENDA ITEMS 1 – 3; SECONDED BY SERPE; MOTION CARRIED 5-0.

9. VILLAGE BOARD COMMENTS

Monica Yuhas:

I have one tonight, Mr. President. A couple weeks ago I had the opportunity to spend 24 hours at Station 1 with Lieutenant Holm and his crew. And I have to tell you the new hires are very impressive. A couple years ago we went through and we did a mass hiring to get our staff up to where it needs to be. And to spend 24 hours with these guys and to see the knowledge that they have and the care and the service that they provide was really astounding. Thank you, Chief, for allowing me to do that. I really appreciate it. I saw a lot. I only slept for about four hours so it was a busy night.

- 10. CONSIDER ENTERING INTO EXECUTIVE SESSION PURSUANT TO SECTIONS 19.85(1)(C) AND 19.85(1)(G) WIS. STATS. RELATING TO PERSONNEL MATTERS AND TO CONFER WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.**

SERPE MOVED TO ENTER INTO EXECUTIVE SESSION AS NOTICED; SECONDED BY YUHAS; ROLL CALL VOTE - STEINBRINK – AYE; KUMORKIEWICZ – AYE; SERPE – AYE; YUHAS – AYE; ALLEN – AYE; MOTION CARRIED 5-0.

John Steinbrink:

The Board will return to open session for the purpose of adjournment only. No other business will be conducted.

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11. RETURN TO OPEN SESSION AND ADJOURNMENT.

**YUHAS MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING;
SECONDED BY ALLEN; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 8:00 P.M.**