

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

**9915 - 39th Avenue
Pleasant Prairie, WI
September 16, 2013
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, September 16, 2013. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Steve Kumorkiewicz and Clyde Allen. Mike Serpe was excused. 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; Dan Honore, IT Director; Carol Willke, HR and Recreation Director and Jane M. Romanowski, Village Clerk. Two citizens attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. MINUTES OF MEETINGS - AUGUST 5 AND AUGUST 19, 2013

Monica Yuhas:

Motion to approve.

Clyde Allen:

Second.

John Steinbrink:

Motion by Monica, second by Clyde. Any discussion on the minutes?

YUHAS MOVED TO APPROVE THE MINUTES OF THE AUGUST 5 AND AUGUST 19, 2013 VILLAGE BOARD MEETINGS AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY ALLEN; MOTION CARRIED 4-0.

5. CITIZEN COMMENTS

Jane Romanowski:

There were no signups tonight, Mr. President.

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John Steinbrink:

Anybody wishing to speak? Hearing none I'm going to close citizens' comments.

6. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Mr. President, tonight we have with us for his first meeting our new director of information technologies, Daniel Honore. He's hiding out in the back with the yellow shirt. Dan comes to us with an extensive background in IT. His most recent stop was the Kenosha Unified School District. So we look forward to having him. We put him to work right away. He had a whole list of issues the first day. So we're really glad he's onboard. He's a real good addition to us.

John Steinbrink:

Thank you, Mike.

7. NEW BUSINESS

A. Receive Plan Commission recommendation and consider Ordinance #13-36 to amend the 2035 Comprehensive Land Use Plan Map 9.9 and Appendix 10-3 to remove the Urban Reserve Designation from Lot 19 of the Westfield Subdivision located at the northwest corner of STH 50 and 91st Avenue for the proposed Goddard School development.

Jean Werbie-Harris:

I would ask that both Item A and B be taken up by the Board at the same time. I'll be making one presentation. You want to bring Item B?

B. Receive Plan Commission recommendation and consider Ordinances #13-37 and #13-38 for a Zoning Map and Text Amendment to rezone a portion of Lot 19 of the Westfield Subdivision from B-2 (UHO) Community Business District with an Urban Landholding Overlay District to B-2 (PUD), Community Business District with a Planned Unit Development Overlay District and to amend the legal description to include a portion of Lot 19 relating to the proposed development of Goddard School.

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, this is a request by Jonah Hetland of Bear Development. He represents the owner of the property at the northwest corner of 91st Avenue and Highway 50 in Pleasant Prairie. It's the area that's identified as the Westfield Commercial Development. They're requesting two things tonight, actually three separate items.

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Ordinance 13-36 to amend the Village's Comprehensive Plan, and then Ordinance 13-37 and 13-38 both for a zoning map and a zoning text amendment.

As they made their initial request this spring and summer, they were working to put together a Goddard School that is proposed to be located at the northwest corner of 91st Avenue and Highway 50 as you can see on the slide. One of the things that they were working on is to in working with their bank was to define that all of the property including the entrance on 91st Avenue and the cross-access easement that traverses their lot that goes to the second lot to the west that all of that area long with all of the easements be shown on their particular Lot 20.

So the purpose of this request is twofold. One, previously the Board adopted a lot line adjustment, but what we need to do is amend the Comprehensive Plan so that that additional area of 5,312 square feet that was on Lot 19 that needs to be transferred to Lot 20, that that area is reflected correctly on the Comprehensive Plan as a B-2, Community Commercial area along with the PUD. So it needs to be in the commercial land use designation, not in an urban reserve area, and it needs to be appropriately zoned into the B-2 PUD District. This kind of shows it a little bit better. It's the area that's identified with the red star. It's like a triangle area.

So, again, we're moving some land just over 5,000 square feet from Lot 19 to Lot 20, and we're amending the Comprehensive Plan as well as the zoning text and the zoning map. So everything when they close on their project with the bank and they move forward with respect to the building permits everything that they are going to be doing work on and constructing is entirely on their Lot 20. These items were before the Village Plan Commission at their last meeting. And the staff and the Plan Commission recommend approval. Again, the three items are Ordinance 13-36, 13-37 and 13-38. A roll call vote is needed on the first.

Monica Yuhas:

I make a motion to approve Ordinance 13-36.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve for adoption of Ordinance 13-36. Any further discussion?

YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #13-36 TO AMEND THE 2035 COMPREHENSIVE LAND USE PLAN MAP 9.9 AND APPENDIX 10-3 TO REMOVE THE URBAN RESERVE DESIGNATION FROM LOT 19 OF THE WESTFIELD SUBDIVISION LOCATED AT THE NORTHWEST CORNER OF STH 50 AND 91ST AVENUE FOR THE PROPOSED GODDARD SCHOOL DEVELOPMENT; SECONDED BY KUMORKIEWICZ; ROLL CALL VOTE – STEINBRINK – AYE; YUHAS – AYE; KUMORKIEWICZ – AYE; ALLEN – AYE; MOTION CARRIED 4-0.

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Clyde Allen:

I make a motion to approve Ordinance 13-37 and 13-38.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde for adoption of Ordinance 13-37 and 13-38. Second by Steve. Any further discussion on these two motions?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCES #13-37 AND #13-38 APPROVING A ZONING MAP AND TEXT AMENDMENT TO REZONE A PORTION OF LOT 19 OF THE WESTFIELD SUBDIVISION FROM B-2 (UHO) COMMUNITY BUSINESS DISTRICT WITH AN URBAN LANDHOLDING OVERLAY DISTRICT TO B-2 (PUD), COMMUNITY BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT AND TO AMEND THE LEGAL DESCRIPTION TO INCLUDE A PORTION OF LOT 19 RELATING TO THE PROPOSED DEVELOPMENT OF GODDARD SCHOOL; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

- C. Receive Plan Commission recommendation and consider Ordinance #13-39 for a Zoning Text Amendment for the proposed super charging station for electric vehicles at Pleasant Prairie Premium Outlets located at 11211 120th Avenue and 11601 108th Street.**

Jean Werbie-Harris:

Mr. President and members of the Board, Tesla Motors, Tesla, is proposing to install a supercharging station for electric vehicles in the parking lot of the Pleasant Prairie Premium Outlets located at 11211 120th Avenue and 11601 108th Street. Tesla is a U.S. based company that designs and manufactures the world's leading electric vehicles. They've delivered more than 10,000 vehicles to customers in 31 countries. As part of their mission to further the adoption of electric vehicles, Tesla has initiated the deployment of a fast-charging solution called the supercharger. These supercharger stations are proposed to be located along popular and well-traveled routes throughout the country, and they will be in fast and convenient networks for Tesla customers. These stations are able to recharge 50 percent battery capacity in as little as 20 minutes and a full charge in less than an hour.

Due to the fact that the proposed charging station is located within the Premium Outlets Mall, and they'll be using only eight parking spaces, and because the equipment will be fully screened from view through some fencing, there's going to be little or no impact on the adjacent properties. And as you can see on the slide this is Pleasant Prairie Premium Outlets, this is I-94 and 120th

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Avenue and 108th Street. Right here at the very corner is where Nike is located, and they are proposing to place it in this parking lot just to the west of Nike in the bermed area across the street from the Radisson and the Chancery.

This gives you a little bit better perspective from an aerial and from a landscape perspective. Again, where the cars are parked they're intending to kind of work it into the berm so that this charging station, again, is going to be somewhat screened on that side as well as on the other side. Again, this is somewhat unique for this area. This is the first supercharging station in the State of Wisconsin. But it will allow this network to be built up. The cars are manufactured in California, but they have customers throughout the United States. So they want to be able to have these charging stations on networks for people to be able to continue traveling throughout the United States.

Premium Outlets has developed a relationship with Tesla, and a lot of their charging stations will go where the premium outlet malls are because a lot of people are traveling to and through, and those malls are located on major interstates. This gives you another perspective. There's some demolition work with respect to the grade and such out there. But they are going to actually cut into the bermed hillside. A lot of that berm and landscaping will remain, and they will continue to landscape on either side. Again, the spaces will be directly south of that berm.

There will be some additional cameras that will be placed on the corner of the building on top of where Nike space is to have some additional camera views of this particular area. This is an unmanned charging station. The site basically will be monitored by Premium Outlets with respect to landscaping and parking lot and things like that. And a lot of the other things are electronically monitored by them.

With respect to some signage for this particular location there will be some signage, but everyone's Tesla car is designed with a GPS navigation system to show them where these charging stations are and how to get to them. So there won't be any excessive amount of signage. We are recommending that they have a sign on the interstate as well. Part of their request in addition to going to the Plan Commission for site and operational plan is the fact that they want to be 24 hours. And so the purpose of the request is to amend the PUD for Premium Outlets to allow this charging station to be utilized 24 hours a day.

And so this is a matter that went to the Village's Plan Commission. The staff and the Plan Commission recommend approval. I'm going to just show you a couple of other slides that illustrate some of the site plan for the charging station. Again, it's going to be basically enclosed so you won't see the transformer and all the other types of equipment behind the fencing in the other areas. Staff recommends approval as presented of the PUD modification to allow for the supercharging station at Pleasant Prairie Premium Outlets. Again, this is a text amendment - Ordinance 13-39.

Steve Kumorkiewicz:

Move to approve Ordinance 13-39.

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Clyde Allen:

Second.

John Steinbrink:

Motion by Steve for adoption of Ordinance 13-39, second by Clyde. Any further discussion?

Steve Kumorkiewicz:

Yeah, just a question for my knowledge. This station is going to be open 24 hours.

Jean Werbie-Harris:

Correct.

Steve Kumorkiewicz:

But Prime Outlets is not open 24 hours.

Jean Werbie-Harris:

That's correct.

Steve Kumorkiewicz:

So that means is there a possibility that cars are parking over there being charged when there's nobody around?

Jean Werbie-Harris:

That's possible. If someone is on the interstate or if someone stays overnight at the Radisson Hotel they could charge their vehicle here. They could go over to the Chancery right across the street and go to the restaurant. But typically Premium hours are either 9 or 10 at night for closure. So, yes, someone could come between 10 at night or 8 or 9 in the morning.

Steve Kumorkiewicz:

If I understood it right in the Planning Commission the time limit was one hour.

Jean Werbie-Harris:

That's correct for them to get a fully charge vehicle, that's correct. But that hour could be any time after Premium closes until Premium opens as well because they could stop for 24 hours.

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Steve Kumorkiewicz:

So that means somebody could stay there overnight and park?

Jean Werbie-Harris:

No, and their cars wouldn't be charging all night either.

Steve Kumorkiewicz:

Okay, thank you.

John Steinbrink:

Any further questions?

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCES #13-37 AND #13-38 APPROVING A ZONING MAP AND TEXT AMENDMENT TO REZONE A PORTION OF LOT 19 OF THE WESTFIELD SUBDIVISION FROM B-2 (UHO) COMMUNITY BUSINESS DISTRICT WITH AN URBAN LANDHOLDING OVERLAY DISTRICT TO B-2 (PUD), COMMUNITY BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT AND TO AMEND THE LEGAL DESCRIPTION TO INCLUDE A PORTION OF LOT 19 RELATING TO THE PROPOSED DEVELOPMENT OF GODDARD SCHOOL; SECONDED BY ALLEN; MOTION CARRIED 4-0.

- D. Receive Plan Commission recommendation and consider a Master Conceptual Plan for the proposed Riverview Corporate Park generally located east of IH-94 south of 110th Street and north of 122nd Street.**

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, this is a request by Mark Goode Venture One Real Estate, and he is requesting a master conceptual plan for a proposed business or corporate park on the east side of the interstate. Specifically, he's requesting to develop approximately 250 acres of land for approximately five office and manufacturing production buildings. These buildings would range in size from 87,000 square feet to 428,000 square feet. The site is located, again, just east -- this is I-94 going north/south, and the buildings would be just east of that location. STH 165 is at the north of the map and 122nd Street is on the south. As you know, Corporate Drive extends to the south and then turns into 116th Avenue, and 120th Avenue is just west of that.

The proposal is to extend 116th Avenue south and eventually extend here part of the frontage road north. And at some point as part of our evaluation, review and approval and permitting process, this would be a connected roadway sooner than later as the sites begin to develop. And they're proposing five office and manufacturing production buildings. This is a site that several

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months ago back in the spring we had identified as a Village that there would be three major areas of the Village that would be rezoned into this M-5, the Production Manufacturing District. These are areas that focus primarily with uses of production, manufacturing, office, research and development. And ancillary or secondary uses would be warehouses. So these are not intended to be warehouse-type buildings. Less than 25 percent of these buildings can be used for warehousing purposes. They're limited with respect to their dock doors and things like that.

As you get closer to the interstate just like those other uses close to Highway 31, we are looking to improve some of the imaging along the interstate. But in addition we are looking for offices and businesses that would not necessarily be warehouses. But we were trying to actually increase the number of jobs per acre as a production or manufacturing area. All of the buildings as well as the declaration of covenants that they have drafted for this development that we've reviewed as well as the staff do focus on the M-5 uses and the M-5 type of development.

The developer has gone through and done a lot of the environmental field delineations and stakings on the property. They are in the permitting process, and they are also working through with the Wisconsin DNR and the Corps of Engineers in order to obtain any necessary permits and approvals to keep going through the process. Again, this is part of a multi-step process just like every other development in the Village of Pleasant Prairie. So the first step is this master conceptual plan process. The next step is to complete a neighborhood plan for this particular area. This is just a close up of the five buildings as you have seen on your screens as well. This photo actually shows the two cul-de-sacs initially. And then eventually those cul-de-sacs will be removed, and the extension will be made and it will be a connected public roadway.

This is the neighborhood plan map for the Village. As you know the neighborhoods have been divided by geographic areas bounded by major streets, rivers, highways. And the area that we are looking to do a neighborhood plan for which is the next step for this project should it be approved is this LakeView West area. Much of this area is developed, some is vacant. There's some vacant area kind of to the northeast corner of I-94 and 165. There is some vacant area obviously south of Premium Outlets. And we're actually going to look at expanding this neighborhood plan for our engineering and planning purposes down to 122nd. So we're going to bring in just a small corner of the Riverview neighborhood. It makes some sense because of the interconnections of the highways and the infrastructure. So we're actually going to do most of one neighborhood and then just bring up a little corner of another neighborhood.

The staff comments go into a great deal of discussion about the M-5 District. Again, I've presented that several times to the Plan Commission and to the Board, so I'm not going to review all of the details of that M-5. But it's good to know that the first area of that M-5 is looking to develop. And, again, our main concern here, the main statement we wanted to make is 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 some land resources and economic infrastructure to support a little bit more denser employment opportunities in the Village, and this is one of those areas.

The staff comments do also go through a lot of the detail with respect to the conceptual plan, what's required with respect to those steps, the neighborhood planning steps, and also if it's

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warranted the evaluation by the staff of a possible expansion of a TID for this particular area. There are a number of staff comments from engineering as well as the fire department. Again, this is the first step in the planning process. But the staff felt it was very important to bring this project to you to let you know that we are moving forward with another corporate park development within the Village. And we wanted to make sure that the Board was good and wanted to give us some positive direction with respect to this development. And this is the master conceptual plan detail.

Mike Pollocoff:

I think as Jean alluded to just the development of LakeView Corporate Park and the anticipated development of some level of the Abbott property, this is probably our most significant effort at taking advantage of the location to the interstate, our location to existing [inaudible] infrastructure that could be extended at not a great expense. This service area [inaudible] within a 200 acre area to create as many opportunities as possible. If you look at how development has occurred over time in the Pleasant Prairie or even the area, one of the things that the Village has been able to accommodate and be successful at is as the marketplace as spun out with somebody new that wants to either move to Pleasant Prairie or start a new business here, the real challenge and the thing that has made us successful is being able to have development plans for developments that are ready to go or nearly ready go.

As Jean indicated we're in that process of getting the conceptual plan approved, and I want the Board to understand that we have engaged engineering services, we're doing our own engineering, we have traffic studies underway. We're doing a financial analysis for TID improvements which would be necessary to make this happen. And it's my recommendation to the Board that although we are at the conceptual stage that we move ahead with due diligence and have this thing ready to go.

We're coming up on a period here where construction for practical purposes isn't going to take place because of [inaudible] construction, but my goal from a staff perspective, and I think the developer can speak to his own perspective, is to be able to have all the planning underway, get everything done and ready to go so that at first possible break in the weather next year we're able to initial construction of a first phase of improvements. As we did in LakeView Corporate Park we're not looking to construct the whole thing at once, but we do think there's a logical phasing for this. And if the market is such that there's a demand for phase two to happen earlier than we anticipate, as long as the tax base supports it, I think that's something we should embrace.

As Jean indicated it's a [inaudible] even though somebody could locate in LakeView Corporate Park and construct a main factory facility, the economics are such that they're going to tend to cluster lots together to be able to do warehousing wherever possible. And they've got that ability through the zoning and the TIF. And this is where we're making a definite step to go away from that support the manufacturing basis. So I think from a staff perspective we've been looking at ways we can manage the growth of warehouses in the Village and come up with something that's going to be more sustainable over the long run for the community. So I fully support this. From an economic development standpoint we need to move through this process with due diligence

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[inaudible] and have it ready to go for next year. I don't know if Mr. Goode is here. [Inaudible] the biggest briefcase or some maps he wants to show the Village he could do that also.

John Steinbrink:

Sir, would you come up? Jean, while he's coming up you had alluded to expanding into the Riverview neighborhood, something woods down there.

Jean Werbie-Harris:

River Woods. It's just the name of the neighborhood. There's a neighborhood down here, these are the neighborhood boundaries throughout the Village of Pleasant Prairie, and the River Woods neighborhood is down here. The LakeView West is located right on the east side of the interstate. Well, based on this particular project and how we'd like to see the Riverview Corporate Park develop out, we're going to look at putting a neighborhood plan together for all the undeveloped areas in here. But we're also going to incorporate a corner of the River Woods neighborhood as part of his neighborhood plan just because of the fact that it makes some sense from a transportation network and an infrastructure standpoint.

John Steinbrink:

You had said Riverview.

Mark Goode:

I remember Riverview as a kid, but that's a long time ago. My name is Mark Goode. I'm a principal with Venture One Real Estate. We're located at 250 Parkway Drive in Lincolnshire, Illinois. We're very excited to be here. We've been working with the Village for I think six or seven months on this plan. We think it's an exciting plan. It delivers a type of building facility and product that doesn't really exist anywhere in the region I believe in terms of the stature of the corporations that we'd be able to attract and the types of facilities that we would be able to construct here. So we think there's a unique opportunity to do that at this particular location due to the proximity to the highway.

My firm is doing this in partnership with another company, their name is CLAYCO. They're one of the design build firms in the country, and have done quite a few corporate facilities as well as institutional facilities, hospitals and residential facilities throughout the country. I have a little something on our entity if you want to know about it, but it's called CLAYCO Venture One Development Services. And that would be the entity that would move forward here.

We believe there's a great opportunity here, and we think that this project will complement the other projects that exist in the Village as well so that we're not looking to directly compete obviously with any warehouses or distribution centers that are here, but really deliver a corporate product with a lot of glass and a lot of flare to attract corporations that are looking to move their headquarters here, major divisions or manufacturing or production. So we greatly appreciate this

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opportunity, and I can answer any questions on our firm, our project or other developments we've been involved in.

John Steinbrink:

Any comments or questions? I think looking at that area using that glass and laying it out it's going to be a really, really nice area for buildings back there and development. And I think your reputation says you're going to do a good job.

Mark Goode:

Thank you.

John Steinbrink:

A pretty thorough discussion was held during the Planning Commission. I'm not sure if there are any other questions.

Steve Kumorkiewicz:

I'm looking forward to the traffic impact analysis. I think it's going to be very difficult for the traffic going to the Prime Outlets and coming here to this project. That's the part I'd like to see. But, anyway, welcome here to the Village because I love to see [inaudible] coming in.

Mark Goode:

Thank you.

John Steinbrink:

Thank you.

Mike Pollocoff:

There was a significant amount of concern over a cul-de-sac. I was really touched that some of the developers in the area had [inaudible] so much concern over a future cul-de-sac and how long it might be. The Village has a longstanding policy of managing cul-de-sacs [inaudible]. You can never have one that is too long and you can never have one that's been there for too long. So the TIA will resolve that issue, and I'm sure they'll resolve everyone's concern over an old, long cul-de-sac [inaudible].

Steve Kumorkiewicz:

Thank you, Mike.

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Monica Yuhas:

I'll make a motion to accept the master conceptual plan for the proposed Riverview Corporate Park.

Clyde Allen:

Second.

John Steinbrink:

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

YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A MASTER CONCEPTUAL PLAN FOR THE PROPOSED RIVERVIEW CORPORATE PARK GENERALLY LOCATED EAST OF IH-94 SOUTH OF 110TH STREET AND NORTH OF 122ND STREET; SECONDED BY ALLEN; MOTION CARRIED 4-0.

- E. Receive Plan Commission recommendation and consider Ordinance #13-40 to correct and amend the 2035 Comprehensive Land Use Plan Map 9.9 and update Appendix 10-3 to identify the field delineated wetlands in the Park, Recreational and Other Open Space Lands with a field verified wetland land use designation on the vacant property located between 88th and 91st Avenues and 76th Street and Prairie Ridge Boulevard.**

Jean Werbie-Harris:

Mr. President, I'd ask you and the Board to take up Items F, G and H as well. I'll be making one presentation on all four items.

- F. Receive Plan Commission recommendation and consider Ordinance #13-41 to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District, on a 9.9 acre vacant parcel generally located between 88th and 91st Avenues and 76th Street and Prairie Ridge Boulevard.**
- G. Receive Plan Commission recommendation and consider a Conceptual Plan for the proposed office development on a vacant 9.9 acre property generally located between 88th and 91st Avenues and 76th Street and Prairie Ridge Boulevard.**
- H. Receive Plan Commission recommendation and consider a Certified Survey Map to subdivide a vacant 9.9 acre parcel generally located between 88th and 91st Avenues and 76th Street and Prairie Ridge Boulevard for a proposed office development.**

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Jean Werbie-Harris:

Mr. President, this request, actually there are four requests on the agenda, all relate to the same property area which is located south of 76th Street, north of Prairie Ridge Boulevard between 88th Avenue which is County H and 91st Avenue. These requests are coming from SB1 for four different requests. The first, Comprehensive Land Use Plan amendment based on detailed wetland delineations that were completed on the site by a qualified biologist that have been approved by the Wisconsin DNR. The second item is to rezone the specific field delineated wetlands into the C-1, Lowland Resource Conservancy District.

The third request is for a conceptual plan for the development of four different potential office sites. As you know, part of the process once we approve the Comprehensive Plan and the neighborhood plan which we have for the Prairie Ridge area, is to take a look at a detailed conceptual plan. This is a more simplified version that's up on the screen that specifically identifies the size of buildings, location of buildings, cross-access, parking lots, the number of parking spaces, preservation of the existing delineated wetland which there's one right in the center of the site, and there's one over on the east adjacent to 88th Avenue as well as detention on the site. To look at cross-access easements between the parties and to make sure things do line up. In addition, conceptual utilities were also submitted so that the engineers could take a look at the conceptual sewer, water and storm sewer infrastructure as to how the site is going to be developed. So based on the information that was presented they are presenting this conceptual plan.

At this time we don't have the next step of the process which is the site and operational plans. They wanted to take it to a certain point to see that there is support by the Village. And so the final step that they are asking for today is actually the certified survey map. And there is a particular developer that does want to purchase Lot 1 which is the first office building adjacent to 76th Street. Lot 2 will just remain as a separate lot at this time, and it would be further subdivided in the future. Again, Lot 2 could be further subdivided into three different tenants. The one building that's at the very northwest corner, that's BMO Harris, that's the existing bank that was built out there. So, again, what we're trying to do is to make sure that there is orderly development when and if it does occur. The certified survey map does reflect all the appropriate easements as well as all of the access information that we do need for the cross-access.

The Plan Commission held the public hearing for the Comprehensive Land Use Plan Map 9.9, again, to modify the land use plan map to reflect the field delineated wetlands. They held a public hearing for the rezoning of the field delineated wetlands into the C-1, Lowland Resource Conservancy District. And they held a public hearing for the conceptual plan for the four lot future office development at this location. Finally, the last item they considered was a certified survey map which they recommended approval. All of these are subject to all of the comments and conditions as outlined in the staff memorandum. The staff also recommends approval of all four items.

Steve Kumorkiewicz:

We have to take those individual? I move to approve Ordinance 13-40.

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Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde for adoption of ordinance 13-40.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #13-40 TO CORRECT AND AMEND THE 2035 COMPREHENSIVE LAND USE PLAN MAP 9.9 AND UPDATE APPENDIX 10-3 TO IDENTIFY THE FIELD DELINEATED WETLANDS IN THE PARK, RECREATIONAL AND OTHER OPEN SPACE LANDS WITH A FIELD VERIFIED WETLAND LAND USE DESIGNATION ON THE VACANT PROPERTY LOCATED BETWEEN 88TH AND 91ST AVENUES AND 76TH STREET AND PRAIRIE RIDGE BOULEVARD; SECONDED BY ALLEN; ROLL CALL VOTE – ALLEN – AYE; YUHAS – AYE; KUMORKIEWICZ – AYE; STEINBRINK – AYE; MOTION CARRIED 4-0

Monica Yuhas:

Motion to approve Ordinance 13-41.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica and second by Steve for adoption of Ordinance 13-41. Any further discussion?

YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #13-41 TO REZONE THE FIELD DELINEATED WETLANDS INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT, ON A 9.9 ACRE VACANT PARCEL GENERALLY LOCATED BETWEEN 88TH AND 91ST AVENUES AND 76TH STREET AND PRAIRIE RIDGE BOULEVARD; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

Clyde Allen:

Make a motion to approve the conceptual plan.

Monica Yuhas:

Second.

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John Steinbrink:

Motion by Clyde, second by Monica for adoption of the conceptual plan. Any further discussion?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CONCEPTUAL PLAN FOR THE PROPOSED OFFICE DEVELOPMENT ON A VACANT 9.9 ACRE PROPERTY GENERALLY LOCATED BETWEEN 88TH AND 91ST AVENUES AND 76TH STREET AND PRAIRIE RIDGE BOULEVARD; SECONDED BY YUHAS; MOTION CARRIED 4-0.

Clyde Allen:

Motion to approved certified survey map.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve for adoption of the certified survey map to subdivide a vacant 9.9 parcel. Any further discussion?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CERTIFIED SURVEY MAP TO SUBDIVIDE A VACANT 9.9 ACRE PARCEL GENERALLY LOCATED BETWEEN 88TH AND 91ST AVENUES AND 76TH STREET AND PRAIRIE RIDGE BOULEVARD FOR A PROPOSED OFFICE DEVELOPMENT; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

I. Consider an Agreement with Premium Outlets related to the midnight madness sale on November 28-29, 2013.

Jean Werbie-Harris:

Mr. President and members of the Board, the agreement you have before you is the midnight madness agreement between Premium Outlets at Pleasant Prairie, LLC and Prime Outlets of Pleasant Prairie II doing business as Pleasant Prairie Premium Outlets and the Village of Pleasant Prairie. This is the sixth year for this agreement. The first agreement was in 2008. The purpose of this agreement is for there to be a payment in lieu of services to cover the Premium Outlets expanded hours of operation. This occurs from nine o'clock on Thanksgiving night through eight o'clock which is black Friday the following morning at eight o'clock.

So the hours that the center is typically closed those are the hours that they are contracting with the Pleasant Prairie Police Department and Pleasant Prairie Police and Fire Department in order to cover the additional services that are going to be needed for this area of the Village for the

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shopping that they are doing out there. As you know, when we first started this in 2008 it was called midnight madness and the shoppers came out in groves at midnight. Now they've kind of moved it up unofficially at nine o'clock. So it's intense at midnight but not the way it used to be.

But it does provide police and fire protection during those hours specifically where the officers and the equipment will be out there at Premium Outlets instead of waiting for calls. And it really has made for a nice shopping experience for the shoppers to see the extra police patrol and such out there. I don't know that they've had two many incidents since they stopped giving away the freebies and having everyone stand in line. But I haven't been out there shopping at two for a couple of years, two in the morning, so I'm not sure exactly. I think that police or fire could respond possibly for that.

The police department pays for four additional on duty police officers and also the pay for one additional Pleasant Prairie parking officer to supplement the typical second and third shift officers are required. And then also with respect to the fire and rescue department one additional on duty on site Pleasant Prairie firemedic to supplement the typical third shift fire and rescue department. As set forth in the staff memorandum there are some estimates that have been put together. The police department it involves \$2,763.42, and for the fire and rescue department \$349.84. And I did work through both the Police Chief and the Fire Chief if you have any questions for myself or either of them. Staff recommends approval.

Mike Pollocoff:

One thing you may want to keep in mind is for any reason you decide not to do it, under the new levy limits if you were to come back a year later and do it you'd have to reduce the levy by the amount of the fee. So if this existing fee is not allowed to continue then if we provided that service the taxpayers would have to subsidize which would work exactly opposite to what this is set up. So there still may be an issue whether or not we can charge any more than we charged last year. But the fee is still intact.

Jean Werbie-Harris:

And also I'd like to add that this agreement is renewed each year and we update it each year. If the Village doesn't make any comments or references or modifications by June 1 I believe it is then it's assumed by Premium Outlets that everything is a go for the following black Friday. So if we do want to make some changes or if there's changes that we need, we need to make those comments by that point with them.

Steve Kumorkiewicz:

It's pretty much clear what we're trying to do here. I'll make a motion to support the agreement.

Monica Yuhas:

Second.

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John Steinbrink:

Motion by Steve, second by Monica for adoption of the agreement. Further discussion on this item? Mike is absolutely right. We keep getting these little surprises out of Madison. Eventually it's going to affect the service the people receive because unfortunately we can't provide the service for nothing. And if they keep reducing our monies it's going to affect the quality. And a lot of people came to this area because of the quality of services, especially a lot of the businesses. So if Madison doesn't realize what they're doing pretty soon it's going to affect the business climate in our State.

Mike Pollocoff:

The end result is we say we can't do it because we're not budgeted for it. So one of the entities that pay a lot to the State sales tax will not be open during those times. I think unintended consequences of not knowing which lever to pull in making those decisions.

John Steinbrink:

They keep saying local government doesn't create jobs, but we do create the environment and they keep killing the environment. With that we had a motion and a second. No further discussion.

KUMORKIEWICZ MOVED TO APPROVE AN AGREEMENT WITH PREMIUM OUTLETS RELATED TO THE MIDNIGHT MADNESS SALE ON NOVEMBER 28-29, 2013; SECONDED BY YUHAS; MOTION CARRIED 4-0.

J. Consider a one-year RecPlex Sponsorship Agreement with Mattel Toy Store.

Chris Finkel:

Mr. President and members of the Board, the RecPlex staff has worked with Mattel Toy Store for the past year and half, and this is the culmination of our negotiations, and the Mattel Toy Store would receive the naming rights to the southeast athletic field that faces 165, so they'll be on the billboard there and a variety of signage in the RecPlex. In return they will provide us with a \$10,000 sponsorship for one year. The staff recommends approval of this agreement.

Steve Kumorkiewicz:

So moved.

Clyde Allen:

Second.

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John Steinbrink:

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

Monica Yuhas:

Chris, who are they replacing?

Chris Finkel:

Actually that board has been vacant for several years. So we'll have Talmer Bank on one field and we'll have Mattel Store on the other. It's been vacant for about four or five years so we're happy to have it filled up.

Monica Yuhas:

Absolutely, thank you.

John Steinbrink:

That's the store out in Wilmot, Wisconsin?

Chris Finkel:

Yes.

John Steinbrink:

We have a motion; we have a second, no further discussion.

KUMORKIEWICZ MOVED TO APPROVE A ONE-YEAR RECPLEX SPONSORSHIP AGREEMENT WITH MATTEL TOY STORE; SECONDED BY ALLEN; MOTION CARRIED 4-0.

K. Consider changes to Appendix A Section 45 of the Municipal Code to amend the Village's typical roadway cross sections.

Mike Pollocoff:

Mr. President, Mike is going to describe to you what the cross section means, but I want to let you know why we're doing this. Again, under a previous comment on levy limits the Village's ability to adjust the tax levy is now frozen. So whatever we have to work with is what it's going to be at least for the next two years and probably for some time in the future. One of the larger expenses within our capital budget, and that's funded by property taxes, is rehabilitating roads, repaving roads, doing these streets. So in order to ensure that new municipal roads that are going

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to be constructed in the future in residential areas, our previous cross section was I believe eight inches of stone or ten inches of stone and four inches of asphalt.

And if you think about some of the newer subdivisions that we've constructed it's held up moderately well. It does need some various levels of surface treatment whether it's a micropave or some surfacing on it to keep it viable. But a typical household in the Village in a subdivision pays the Village \$800 in taxes. And that \$800 in taxes has to pay for the police to go by it, public works to go by and plow the streets, clean the streets. The fire departments need to be available to take care of it. And one of the hardest things to take care of is going back and taking what could cost up to \$3,000 a lot to go back and resurface it.

We could save all we want, but given the many miles of street we have it's important that we find a way to short circuit that and establish a standard for residential subdivisions similar to what we've done in the corporate park where the construction profile of those roads is going to last a lot longer because we can't afford to keep going in and allow the developer to improve the lots at a reduced cost so that we can go back at a later time and get those things put up.

As an example, we put in in LakeView Corporate Park if you think back to 95th Street which we did a year ago, that has eight inches of concrete on it, stone underneath it, and then we had an inch and a half of asphalt over it. Well, that's the busiest Village road we have, and it carries the greatest load, tankers bringing in aqueous ammonia into the power plant plus all the truck deliveries that happen in LakeView Corporate Park to traverse that road. When we skinned that asphalt off the road last year we only had just some minor work to do on the concrete base. Now if that had been an asphalt road we would have been grinding up all the asphalt, we would have had probably some major base repairs to do given the road that's on there.

So what we're looking for is for in residential areas is to eliminate the problem in the same way where we're going to require a seven inch course of concrete and an inch an three quarters of asphalt. Because as those homes are built on it, as trucks make delivery to it over time to the various houses, as we drive through with our garbage trucks, the roads will be able to withstand that work so at the end of 20 years or 25 years the most we're probably going to do is come back and mill up the asphalt and put it right back down on the roads.

It is going to lead to a certain level of increased expenses for people doing new development, but given the fact that the State has decided that we're not going to get any more money from what we have now, we can't afford to incur more expenses that are going to cost us asphalt work and road work in the future. So what I've asked Mike to do and describe it as to what the different cross-sections we're going to be requiring, and we'll be amending our ordinances to make that happen. so, Mike, why don't you describe what you have in here for arterial and a collector street for residential uses.

Mike Spence:

As Mike indicated to achieve these goals because of limited money and trying to develop sustainable infrastructure for the Village we looked at the cross-section of our residential streets. This cross-section which is part of our ordinance, an appendix, this is for a residential collector

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street. And the changes -- well, the existing cross-section that we have is a 49 foot from back of curb to back of curb. The existing section includes six inches of asphalt. As you know, we've typically done a lot of these streets in phases. The first phase or the binder layer was four and a half inches of asphalt, and then we put an inch and a half on top.

The new detail that we show up here still maintains the 49 foot back to back, but rather than the total asphalt section that we currently have we're looking at doing seven inches of concrete over the gravel base, and then one and a three quarter inch asphalt surface course. Again, this is similar to what we have in the corporate park, and as Mike alluded to we've had really good success. When they milled off that asphalt last year we had to replace minimal amounts of the base. So from a sustainability standpoint it really held up.

The other difference that you'll see in the cross-section if you recall a number of years ago we did pass a bike and pedestrian plan, and this particular section includes sidewalks, five foot sidewalks on each side of the street. We think this is really the way that newer developments are going to be going because people do want to be able to walk, and they want to be able to bike to places. So those are the major changes. And then the final change is that because of the sidewalks right away we'll need to dedicate from developers is increased from 80 to 82 feet.

The next section is the regular residential cross-section. Again, the current width is 37 feet. The asphalt surface is currently three and a half inches of binder course with an inch and a half of surface course for five inches total. And, again, I just wanted to point out as Mike had mentioned what we see in similar developments when they put in the binder course and over the years and over the development when they come in to put in the surface course they have to rip out and mill a great amount of the existing asphalt. It's very costly. We're finding this in the Whispering Knoll Subdivision now that we're paving now that we had to repair a lot of the binder course. So the new section, again, will go to a concrete section with seven inches of concrete base with an inch and three quarters asphalt wear surface and the addition of sidewalks. And in this particular case the right of way is increased from the current 66 to 70 foot of right of way to allow for the construction of sidewalks.

Again, from a sustainability standpoint -- the other thing, too, we went through a period where subdivisions were being built out in three years. Well, while we see it increasing we're not sure it's ever going to get to those levels. And with this cross-section the new developments will be able to sustain the heavy traffic from development, and they won't get beat up as the homes are completed. So those are the major changes to the cross-sections. And I think they really meet our objectives for sustainability and also address the ability to maintain the roads in the future. With that I recommend that these be approved. I'd be glad to answer any questions.

Steve Kumorkiewicz:

I've got questions. Mike, are we proposing the [inaudible] to eliminate phase two to any construction.

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Mike Spence:

Yes.

Steve Kumorkiewicz:

So now we don't have to worry about letter of credit or nothing? Built it, complete it, fund it [inaudible], done with.

Mike Spence:

That is correct. What would happen in the first phase of the subdivision it actually depends on timing. They can probably do the gravel maybe one year, but that next year the road would be built, and we wouldn't have to go back and fight with letters of credit that we don't have enough money and so forth.

Mike Pollocoff:

It would be just the initial letter of credit. There's still a letter of credit but it's just the initial.

Mike Spence:

Right, and there would still be a warranty period, but again the section that we have will sustain the traffic that it sees.

Steve Kumorkiewicz:

So no more 75 percent building before we build the road, correct?

Mike Spence:

Correct.

Steve Kumorkiewicz:

Okay, thank you, that's good. I make a motion to approve this.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde for adoption. Any further questions, discussion?

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Monica Yuhas:

Mike, I have one question. What about existing roads that are in now and let's say years down the road it fails, subdivisions fail. Are we going to hold them to this requirement, or are they bound by previous work.

Mike Spence:

In this particular case once the roads are fully improved we accept them so they're our roads. So that will actually be a decision that staff and the Board will make as to how we want to rehabilitate the road. That would be part of every year when we do the paving program, John has been doing a good job of rehabilitating the roads as we can. At some point it just depends on money. But it would be expensive to redo that concrete.

Mike Pollocoff:

Basically all the houses and the driveways are all set and all the utilities are set for an asphalt road. To come back in you'd have to hog out the whole thing and then put in a modified gravel base, put in the concrete and the asphalt. So that's why we have to change this. Because right now once we accept the road we own it forever. So the Board really has or future Boards will have the question do you take and rehab those roads and do that on a tax roll, or do you do a special assessment and charge the people for a new road.

John Steinbrink:

Mike, when we go back to these failed roadways and we have to replace them and dig them up, are we finding that the proper procedure was followed? Do we have the right amount of gravel under there, the right amount of compaction. A lot of times utilities are put in, things like that, and that's one of the biggest causes for failure is when somebody has dug it up and not --

Mike Pollocoff:

Yeah. I think that as we do some of these subdivisions that we're having to redo we're seeing that the inspection has failed on it in some cases where we don't have enough asphalt, the road isn't crowned, whatever problems. And to be honest with you I can pick on the current crop of developers and find all sorts of things they've done, but we have roads in the Village that the Town asphalted over topsoil.

Steve Kumorkiewicz:

I remember those.

Mike Pollocoff:

Our older roads are crap, and that's a technical word speak for bad roads. But the newer roads are - I mean they have a base, they're not as bad. But there are some limitations where a

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developer is going to, and that's the way they are, they're going to cut every corner they can. So if the inspector in the field didn't catch it we're dealing with the issue today.

Steve Kumorkiewicz:

We have to be more diligent in inspections.

Mike Pollocoff:

Right.

John Steinbrink:

We have a motion, we have a second. Any further discussion?

KUMORKIEWICZ MOVED TO APPROVE CHANGES TO APPENDIX A SECTION 45 OF THE MUNICIPAL CODE TO AMEND THE VILLAGE'S TYPICAL ROADWAY CROSS SECTIONS; SECONDED BY ALLEN; MOTION CARRIED 4-0.

L. Consider a Professional Construction Engineering Services Agreement for Phase4C Binder Paving in the Village Green Heights Subdivision.

Mike Spence:

Back in February of 2009 the Village Board approved the request by the Land and Lakes to install curb and gutter and binder course within the Village Green Heights Subdivision. This letter allowed them to pave early. And they have been gradually paving the streets out there on this basis. To that end they've recently asked to install curb and gutter and binder course on 49th Avenue and a portion of 98th and Main Street.

This work is going to require construction, stakeout, layout and construction observation services. Nielsen, Madsen and Barber actually had submitted a proposal to Land and Lakes which we reviewed to perform these services. This is similar to what we did last year when they paved 50th Avenue, and it did turn out well.

The particular -- right now the area that you see in red is currently gravel. So they're looking at paving the binder course at the area in red. They're finding it's easier to market and easier to sell houses. I just wanted to interject the pavement section that was approved in the development agreement is our standard pavement section. I did propose to the developer that they consider going to concrete because if they did it now this would be done. But once they do this they're going to be subject to what we've been discussion that at some point when they want to do the surface course they'll have to repair the binder course substantially or whatever has been deteriorated over time.

But we have agreed that they have a right to do this. So, again, we got a contract from Nielsen, Madsen and Barber. I specifically asked for the inspector that was out there last year. He did a

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good job of checking the asphalt and so forth. So the amount of this contract is \$13,309.92. It's also important to note that this is not a Village cost. The developer will reimburse the Village for this. So I recommend that the Board approve the contract for Nielsen, Madsen and Barber to do the construction staking and administration for this project.

Monica Yuhas:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve for adoption. Further discussion?

Mike Pollocoff:

I might add, if you look at that map, it's gone, it shows the remaining -- you can see what's in red, but if you look at the rest of Main Street going to the east and then the next road since we've adopted this new standard that becomes the new standard.

John Steinbrink:

So we can compare. Mike, do we have any recourse to go back when we hire these folks to watch over this if they don't watch over it properly and we have to go back and open it up and replace stuff and that? Do they give us a warranty or anything on their inspection services?

Mike Pollocoff:

No, they don't. The failures we've had we've ended up with patches. Then we end up with the inspector and the asphalt contractor pointing fingers at each other. The problem with an asphalt road is once you lay it all out there if it's wrong at least the specs we had now don't require them to relay the whole thing. But if they need to get grade back or they need to raise a manhole or lower a manhole they'll make it work because they'll get the grades right but there will be a patch in the road. That's why my inclination is when somebody does that then if that firm is going to do more work for us they can't put that same person on the job, and we've got to get rid of the ones that are not getting the job done for us.

John Steinbrink:

So is that enough reason for disqualification?

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Mike Pollocoff:

We can't qualify -- we're prohibited from qualifying professional services. For public works construction firms we can prequalify them, but the engineering industry and architects were pretty successful in making sure that we're prohibited from prequalifying.

Steve Kumorkiewicz:

Question for Mike. That's the case that we've got at 116th we have four patches.

Mike Pollocoff:

We do have four patches. I don't think that was as much as bad engineering as the soils were bad there, and the sewer was settling once we were pounding away.

Steve Kumorkiewicz:

Okay.

Mike Pollocoff:

I can give you lots of other instances where --

Steve Kumorkiewicz:

I know that was brand new one and I go many times over there and see four patches.

John Steinbrink:

We have a motion and a second.

YUHAS MOVED TO APPROVE A PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES AGREEMENT WITH NIELSEN, MADSEN AND BARBER FOR PHASE4C BINDER PAVING IN THE VILLAGE GREEN HEIGHTS SUBDIVISION; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

M. Consider Ordinance #13-42 to amend Chapter 148 of the Municipal Code relating to Clean Water Utility definitions and modifications.

John Steinbrink, Jr.:

Mr. President and members of the Board, staff is recommending to Chapter 148 of the Clean Water Utility ordinance. The first part would be creating an additional definition at Section 148-4 entitled undeveloped parcel to read any parcel containing no permanent structure or improvement on the parcel. Also we'd be adding Section 148-5 E. exemptions. We'd be adding two exemptions to our current Clean Water Utility. The first would be anything that has an

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undeveloped parcel within the Floodplain Overlay District which is zoned C-1 as defined in 420-128, and also undeveloped parcels within the Floodplain Overlay District which are zoned PR-2 as defined in 420-127.1.

These two exemptions are being added because these areas are similar to wetlands, ponds and lakes. They generally contain few if any impervious surfaces and do not significantly contribute to the cost of managing stormwater. In many cases these areas tend to assist in managing stormwater by allowing storm or flood waters to occupy these areas. So I would recommend that the Village approve the above mentioned amendments to the Clean Water Utility ordinance, and I can answer any questions at this time.

Clyde Allen:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve for adoption. Further discussion or questions?

ALLEN MOVED TO ADOPT ORDINANCE #13-42 TO AMEND CHAPTER 148 OF THE MUNICIPAL CODE RELATING TO CLEAN WATER UTILITY DEFINITIONS AND MODIFICATIONS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

N. Consider Ordinance #13-43 to amend Chapter 285 of the Municipal Code relating to Satellite Sewer Collection Systems and waste sampling.

John Steinbrink, Jr.:

Mr. President and members of the Board, staff is recommending an amendment to sewer ordinance Chapter 285. Recently, the Wisconsin Department of Natural Resources has updated the sanitary sewer overflow better known as SSO on rule NR 210.23 (4) published on the July 31st Register 691 which was effective this past August 1, 2013. The new rule requires satellite sewer collection system operators to implement a capacity management operation and maintenance other known as the CMOM program. The Village has three satellite sewer collection operators, Westwood, Timber Ridge and City View. Staff has also spent the time to update other chapters of 285 including the definition, control manholes, metering of waste, sampling of waste, waste sampling analysis and reporting as attached.

In part of your packet I've included both the 210 and the NR 691. It's about 300 pages long, what they had made some minor changes on. So we basically took the highlights of those areas, incorporated them into our 285 ordinance. And we also worked with professional counsel of Paul

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Kent, and we recommend the above mentioned amendments to the sewer utility ordinance as presented in your packet.

Monica Yuhas:

Motion to approve Ordinance 13-43.

Clyde Allen:

Second.

John Steinbrink:

Motion by Monica, second by Clyde for adoption of Ordinance 13-43. Any discussion?

YUHAS MOVED TO ADOPT ORDINANCE #13-43 TO AMEND CHAPTER 285 OF THE MUNICIPAL CODE RELATING TO SATELLITE SEWER COLLECTION SYSTEMS AND WASTE SAMPLING; SECONDED BY ALLEN; MOTION CARRIED 4-0.

O. Consider an award of contract for replacing the fence at Lake Andrea Beach.

John Steinbrink, Jr.:

Mr. President and members of the Board, on July 29th a bid announcement for replacing the fencing around the Lake Andrea Beach was advertised in the *Kenosha News* and distributed to all the contractors prequalified to work within the Village for fencing. On August 14th sealed bids were opened for the contract to install the fencing. Three bids were received, Statewide Fencing at the price of just over \$28,000, Century Fence and Aluminum Fence for just over \$38,000, \$10,000 more.

The fence at Lake Andrea was constructed in 1994 and is currently 48 inches tall. There's been an issue with people jumping the fence, loss of revenue from people not paying for passes at the beach. The new fencing will be 72 inches or six foot tall green vinyl coated cyclone fencing. Staff has also evaluated the gate location, sizes and traffic flow. With the addition of beach volleyball at Lake Andrea there will be a fence separating the beach from the volleyball area.

Staff spent a lot of time with Chris Finkel, Tom Patrizzi and Kevin Milak at the RecPlex just to make sure that this new fencing the way that we have it really functions exactly how they want it to do. So with the addition of the beach volleyball, how we want to do rentals, it is the plan to have some large volleyball tournaments there, leagues there, the gate sizing via security of the fencing has all been intact. And there are a lot of people that have been jumping the fence. It really hasn't been a very secure area. So these improvements will make that a secure area and hopefully increase some revenues for the beach area. And I can answer any questions at this time about that.

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Steve Kumorkiewicz:

You say six feet, right?

John Steinbrink, Jr.:

That's correct.

Steve Kumorkiewicz:

Okay, thank you. Make a motion to approve.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica for adoption. Further discussion?

KUMORKIEWICZ MOVED TO AWARD A CONTRACT TO STATEWIDE FENCING IN THE AMOUNT OF \$28,255 TO REPLACE THE FENCE AT LAKE ANDREA BEACH; SECONDED BY YUHAS; MOTION CARRIED 4-0.

P. Consider an award of contract to replace the roof on the Salt Shed located at the Roger Prange Municipal Center.

John Steinbrink, Jr.:

Mr. President and members of the Board, on July 29th the bid announcement to replace the roof on the salt shed including the light panels was advertised in the *Kenosha News* and was distributed to contractors prequalified to work within the Village for roofing. On August 14, 2013 sealed bids were opened for the contract. Two bids were received. Tri-County Contractors at the price of \$47,833 and Engineered Buildings for \$53,300 was the second bid. The approved budget for this project was \$80,000. So bids came in very favorable from what we had projected on estimates from last year.

The existing roof was installed in 1993 and has exceeded its useful life. The shingles were actually stapled on, so we've been having a problem with the shingles blowing off within the winds, so we made sure as part of the specification that we have them nailed as per the manufacturer's recommendations. Tri-County has built many salt sheds within the Midwest, and they're a very capable company to do that.

As you can see it's very steep on the side, very tall on the top and replacing a light panel it's something that you really want a professional doing. I recommend that the contract be awarded to Tri-County Contractors to replace the roof, light panels and any damaged plywood

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underlayment for the price of \$47,833.20 and \$1.82 for each sheet of plywood that needs replacement. I can answer any questions at this time.

Steve Kumorkiewicz:

I've got a question for you. What size of plywood are you talking about.

John Steinbrink, Jr.:

It's a 4 by 8 sheet of plywood.

Steve Kumorkiewicz:

Wow. \$1.82 where do they get them?

John Steinbrink, Jr.:

I don't know but I'm very happy to be paying it.

Steve Kumorkiewicz:

I do, too, because it's really cheap. I cannot find that. What thickness?

John Steinbrink, Jr.:

It's a five eights sheet of plywood. It's what was engineered by the building manufacturer. I do agree it's a very low price. I contacted the contractor, and he's like that's what he's willing to do it for is \$1.82 per 4 by 8 sheet. It's a great price.

Steve Kumorkiewicz:

Thank you.

Clyde Allen:

Make a motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve. Further discussion? John, is that the original roof?

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John Steinbrink, Jr.:

Yes, it is. It's the original roof from 1993 when the shed was constructed. It's starting to leak on the inside. We have done over the past maybe eight years some roof repair and repaired a couple sheets of plywood as we see them. But the shingles are starting to curl and blow off. And it's been 20 years, and it's time to replace the roof now.

John Steinbrink:

Do you have any corrosion problems with the staples?

John Steinbrink, Jr.:

It's not really a corrosion problem it's just the lack of adhesion onto the plywood. And there really isn't a lot of surface area on the head of the staple and the shingle. So when we get the strong winds out of the west we normally get a couple of shingles laying in the compost site the next day.

Steve Kumorkiewicz:

Another question for you. Do they put a base, do they put a felt in the top of the roof before they put the shingles or they put the shingle on top?

John Steinbrink, Jr.:

Yes, they do. Yes, they do, they will use standard roofing practices for this so they will replace the felt also as a part of this project.

Steve Kumorkiewicz:

Okay, thank you.

John Steinbrink:

Okay, we have a motion and a second. Any further discussion? Those in favor?

ALLEN MOVED TO AWARD A CONTRACT TO TRI-COUNTY CONTRACTORS IN THE AMOUNT OF \$47,833.20 TO REPLACE THE ROOF ON THE SALT SHED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

Q. Consider an award of contract for cleaning services at the Village Hall and Roger Prange Municipal Center.

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Mike Pollocoff:

Mr. President, John has received bids and we have one bidder for the cleaning services at the Village Hall and Prange. We'd like to have more than one bid. I forget how many people took out bids. But Clean and Green also subsequently came back and indicated that they had an error in their bid and they wanted to resubmit another number because they had done their bid in the amount of hours that needed to be done at Prange.

Consequently, I've got a twofold recommendation. One is to reject all bids and go back out. The second one is enter into a one month agreement with Clean and Green Solutions to do the work this next month. Our previous contractor is leaving the area. We didn't get a lot of notice, we got a 30 day notice. So we need to have cleaning services for that one month. So my recommendation is we award a one month contract to Clean and Green and we rebid the project again and see if we can get some more bidders to the table to give us a price. The price that Clean and Green submitted wasn't bad. It was a couple hundred bucks more than last year on a multi basis, but nonetheless we only got one and that's all we've got.

Steve Kumorkiewicz:

I make a motion to go with your recommendations just for one month.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. That's for one month and to go back out.

Mike Pollocoff:

We'll go back out right away.

Monica Yuhas:

And what happens if we get no bids? What if Clean and Green doesn't submit.

Mike Pollocoff:

I think they've indicated they want to bid. We know the next bid is going to be higher. But we've got to go out and bid again and let some other people in, otherwise Clean and Green has got a freeway to the contract. There was somebody that just didn't get their stuff together as John indicated in his memo. And maybe if they get another month they can get this stuff together. We had I think it was five contractors do a pre walkthrough and look through all the facilities.

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John Steinbrink, Jr.:

Correct.

Mike Pollocoff:

So there was people interested but they didn't submit their bidding documents.

John Steinbrink, Jr.:

It was marketed on Vendornet. It's a State approved Wisconsin contracting. It went out to 139 vendors Statewide hoping that somebody would have a Milwaukee branch, something like that. As Mike indicated we did a walkthrough through the Prange with five contractors. One submitted a bid on time. Another one sent it via the U.S. Postal Service. Bid opening was at 10 a.m., and we received it 11:17, so it's a nonresponsive bid, and we have not opened it. We do have two interested parties. Unfortunately with the process one of them was a little bit late and we can't accept. So staff would recommend, as Mike said, rebidding this.

Jane Romanowski:

Is the motion for today's dollars or the bid amount for the month?

Mike Pollocoff:

Their bid amount.

John Steinbrink:

So we have a motion and a second. Now, one Trustee has tried everything in this Village from climbing towers to riding in police cars, fire trucks. Have you tried cleaning services. It could really help. Clyde?

Clyde Allen:

Thank you. Mike, my question is since we received one bid we got one in late, if we go back and redo, reissue the bid, does Clean and Green have grounds because we eliminated or disregarded their bid knowing we have another bid that came in late?

Mike Pollocoff:

No, because they wanted to alter their own bid. They wanted to be able to increase it without a bid. So they want to resubmit another bid as well because they bid too low. And to keep Clean and Green honest that's why we should rebid because now they're going to have to compete against somebody else.

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Clyde Allen:

I just want to make sure they can't come back at us.

Mike Pollocoff:

People come back at us all the time for all sorts of things, but I mean I don't think they would have any standing.

John Steinbrink:

We have a motion and a second. Those in favor?

KUMORKIEWICZ MOVED TO REJECT THE ONE BID RECEIVED IN RESPONSE TO A REQUEST FOR PROPOSAL ISSUED FOR CLEANING SERVICES AT THE VILLAGE HALL AND ROGER PRANGE MUNICIPAL CENTER AND TO ENTER INTO A CONTRACT WITH CLEAN AND GREEN SOLUTIONS FOR ONE MONTH STARTING OCTOBER 6TH AT THE RATE OF \$5,375; SECONDED BY YUHAS; MOTION CARRIED 4-0.

R. Consider Ordinance #13-44 to amend Chapter 242 of the Municipal Code relating to the dog park at Ingram Park.

John Steinbrink, Jr.:

Mr. President and members of the Board, this evening we have before the dog park rules for our new dog park at Ingram Park on the 5700 block of 93rd Street. These are the rules that have been developed by staff, approved by the Park Commission. We had discussions with Kenosha County Park Department, administration, and a professional dog handling organization. We really spent a lot of time to go through to make sure that the go park is safe, it's fair, we don't have any problems. And as a result of that we have this beautiful sign which we printed up and placed. And you can really get as general or as detailed as we'd like to. We try to make the sign as appealing as we can by having many various sizes of dogs and greens with a whole bunch of words inside which are rules.

I can go through if you like and read each of the rules as presented in your packet, but I believe that you guys have done that. And I guess with that I can answer any questions about the dog park rules at this time. We are looking to open the dog park and have a grand opening on October 5th. So we're hoping to get this done, approve the sign, have it printed and up before that grand opening in a couple weeks.

John Steinbrink:

Is that the actual size of the sign?

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John Steinbrink, Jr.:

The actual size of the sign is going to be a 36 by 48, 36 inches wide and 48 inches long to make the letters as big as we can font-wise.

Clyde Allen:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

ALLEN MOVED TO ADOPT ORDINANCE #13-44 TO AMEND CHAPTER 242 OF THE MUNICIPAL CODE RELATING TO THE DOG PARK AT INGRAM PARK; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

S. Consider Resolution 13-19 to write off uncollectible Fire Department charges for services.

Mike Pollocoff:

Mr. President, we've been using a service to try and collect fire department charges for services such as fire inspections, when we have to go on the highway for an accident. And in Wisconsin Village's is the only public entity that cannot charge to stay on a highway. So it's hard to find somebody that's really good at collecting those services. To cities and towns the State will pay for that. The Chief has been doing some investigation. He's recommending that we enter into a contract with Fire Recovery USA. We've done that at a previous Board meeting but that's the good news. The bad news is we have \$53,080 of bills that haven't been paid that we need to write off the books. So that's from delinquent fire service charges dating from 2004 to 2009. So I'm requesting and the finance director is requesting authority to write that off the records.

Monica Yuhas:

Motion to approve Resolution 13-19.

Steve Kumorkiewicz:

Second.

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John Steinbrink:

Motion by Monica, second by Steve for adoption of Resolution 13-19. Further discussion?

YUHAS MOVED TO ADOPT RESOLUTION 13-19 TO WRITE OFF UNCOLLECTIBLE FIRE DEPARTMENT CHARGES FOR SERVICES; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

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

Mike Pollocoff:

Mr. President and the Board, Mr. Sierra is claiming that he is providing a service to the Village that we are not paying for, and he's submitting a claim and the Village is not recognizing that he is providing a service to us. As such I recommend the claim be denied.

Monica Yuhas:

So moved.

Clyde Allen:

Second.

John Steinbrink:

Motion by Monica, second by Clyde for denial. Further discussion?

Steve Kumorkiewicz:

When is he going to stop?

Mike Pollocoff:

We do have our insurance company, the legal insurance is looking at that, and they may be forwarding a letter to Mr. Sierra to cease and desist.

Steve Kumorkiewicz:

Okay, thank you.

YUHAS MOVED TO DENY PAYMENT OF A FOURTH INVOICE SUBMITTED BY RON SIERRA FOR PERCEIVED USE PAYMENTS ON PARCEL #93-4-123-203-0200; SECONDED BY ALLEN; MOTION CARRIED 4-0.

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U. Consider a reappointment to the Community Development Authority.

Mike Pollocoff:

Mr. President, I'm recommending that Jill Sikorski, a current alternate on the CDA, be reappointed for a term to run to October 7, 2014.

Clyde Allen:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve. Further discussion?

ALLEN MOVED TO REAPPOINT JILL SIKORSKI TO THE COMMUNITY DEVELOPMENT DEPARTMENT UNTIL OCTOBER 7, 2014; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

V. Consider Operator License Applications on file

Jane Romanowski:

There are just three applications tonight, Elisha Miller, Lindsay Peterson and Destinee Strange. I recommend approval of all three.

Steve Kumorkiewicz:

So moved.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde for operator license application approval.

KUMORKIEWICZ MOVED TO APPROVE THE OPERATOR LICENSES FOR ELISHA MILLER, LINDSAY PETERSON AND DESTINEE STRANGE; SECONDED BY ALLEN; MOTION CARRIED 4-0.

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W. Set 2013 Halloween Trick or Treat Hours.

Mike Pollocoff:

Not the greatest use of our time that we still have complete control over is establishment of trick or treat hours. Historically the Village and the City have done it on Sunday afternoon as close to the date as possible. That's done a number of things where the little monsters are out while it's still daylight and people are generally home so they can get their kids out. The City this year has decided to do it on the actual day in the evening. So that will involve a lot more opportunities for excitement. Staff is recommending that we maintain the existing hours we have and have it on Sunday the 27th. So it would be different than the City's. I have heard that there's some wincing going on with the City whether or not they're going to stay with that existing date that they proposed.

We have had numerous citizen requests that we have it on Sunday, that we maintain it the way it is because they've made some plans with the event. So with that it's going to be a little bit difficult since the boundaries are a little dicey in certain areas. But we would have the opportunity where Pleasant Prairie kids if they could get out on Thursday night they can go out and see the kids. If they want to work the Village neighborhoods on Sunday they could do that, too.

Monica Yuhas:

And I look at it as a public safety issue as well because we don't have sidewalks everywhere in the Village. And we also have 45 and higher speed limits, and the children are walking on the roads as they are with their masks and such. I just see some problems happening.

John Steinbrink:

As stated we have a lot of new subdivisions where the folks commute to work and don't get home until five o'clock so it works out better on Sunday.

Steve Kumorkiewicz:

Make a motion to approve.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde.

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Jane Romanowski:

Sunday the 27th from 3 to 6.

Steve Kumorkiewicz:

Yes.

John Steinbrink:

If you live on the border you can double your pleasure. Any further discussion?

KUMORKIEWICZ MOVED TO SET 2013 HALLOWEEN TRICK OR TREAT HOURS TO BE SUNDAY, OCTOBER 27, 2013 FROM 3 – 6 P.M.; SECONDED BY ALLEN; MOTION CARRIED 4-0.

8. VILLAGE BOARD COMMENTS

John Steinbrink:

I guess the first comment I want to make is thank you, John, and thank Ruth and everybody that worked on the committee and especially the Village parks people and your staff and everybody that did such a great job out at Prairie Springs Park with the Moving Wall. I mean I heard nothing but positive comments from the people out there. It was well appreciate by the veterans and well received by the public. So I think this morning they said starting at seven o'clock there were 2,000 plus school kids out there to view the Moving Wall, to learn a little bit of the history. It was just a great job. And especially to the volunteers that manned the tents and computers and looked up the names for the people. A great service. So make sure you thank them all and you guys did a great job. And especially you, you were out there all the time. I don't know if you were out there in the rain Sunday or not.

--:

I got a little wet [inaudible].

John Steinbrink:

But everything went well. I didn't hear one grumble.

Steve Kumorkiewicz:

I heard people say they want to have it again here, to have the Moving Wall again in Pleasant Prairie. They say it's an ideal location.

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John Steinbrink:

The beauty of it is that it moves around to different communities. You've got to remember this generation is getting a little older, too, and going to be the next in line following the World War II and Korean folks. If you look at some of the veterans and their health issues from some of the stuff they encountered in Vietnam, the Agent Orange and other things, it's a generation that's aging fast unfortunately.

Monica Yuhas:

And I would just to hope that everyone has the opportunity to go out to Ingram Park on Saturday, October 5th for the grand opening of the dog park. I know I will be out there with Sir Rigley. I look forward to seeing everyone out there.

Steve Kumorkiewicz:

I shall bring my dog.

John Steinbrink:

And I also want to add thank you, Chief, your folks did a great job out there. The Honor Guard, the fire department. It was hot that day during the ceremony, you helped a lot of people out there. Once again you guys all did a great job so thank you. We had the dog park, Halloween, Premium Outlets, what else haven't we covered? And Monica is going to clean house.

9. ADJOURNMENT

ALLEN MOVED TO ADJOURN THE MEETING; SECONDED BY YUHAS; MOTION CARRIED AND MEETING ADJOURNED AT 7:35 P.M.