

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
LAKE MICHIGAN SEWER UTILITY DISTRICT
SEWER UTILITY DISTRICT "D"
9915 39th Avenue
Pleasant Prairie, WI
October 3, 2005
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, October 3, 2005. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Alex Tiahnybok, Steve Kumorkiewicz, Jeff Lauer and Mike Serpe. Also present were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; Kathy Goessl, Finance Director/Treasurer and Jane Romanowski, Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CITIZEN COMMENTS**

John Steinbrink:

We have a signup sheet I believe. If you'd prefer to speak on the item for the police department after the presentation, after the facts have been presented, feel free to hold off until then, and we will allow you to speak at that time. But if you wish to speak on any other item on the agenda this evening, or any other item you wish to speak on, now would be the time.

Jane Romanowski:

There will be a three limit time limit tonight because of the number of speakers. The first speaker is Don Warnock:

Don Warnock:

Hi, I'm Don Warnock, and I live at 10310 64th Avenue. A lot has been made about this good old boy system in here, and I was just wondering where this police action came from. So I went back down to the City Hall and got donations and campaign finance laws. And there seems to be a lot of people outside of our area that campaigned for Jeff and contributions in his behalf. I was just wondering why there weren't more people involved from Pleasant Prairie in this campaign, and most of it seems like it's from the County Sheriff and that, his basic percentage of people that did his campaign work for him. I'll stick around for after the police.

Howard Cooley:

I guess I saw the same piece of paper. Sheriff Beth doesn't live in Pleasant Prairie. He lives in Kansasville. A long way from here. But he has involved himself in Pleasant Prairie's political

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process by making two campaign financing contributions to Trustee Jeff Lauer's campaign for Trustee of the Village of Pleasant Prairie. I find that strange. Well, the Sheriff has a right to make political contributions to Mr. Lauer or anyone else. Perhaps they're close friends.

Sheriff Beth said at the last meeting that he had not discussed his proposal with any member of the Board of Trustees. So I assume he has not discussed it with Trustee Lauer. However, in view of the political connection between the Sheriff and Trustee Lauer, I think it would be appropriate for Mr. Lauer to excuse himself from discussing or voting on the Sheriff's proposal. I now ask him to do so.

Our Village will not give up its police force. I think the Sheriff knows it, so why is he doing this? In my view it's a waste of time and money whose only purpose is to become a part of someone's political agenda. Since its beginning, Pleasant Prairie has been free of partisan politics. I'm afraid those days may soon be over. Thank you.

Thomas Sullivan:

Thomas Sullivan, 7800 47th Avenue. I'll hold my comments until later. Thank you.

Don Hackbarth:

I'll hold mine, too.

Gus Hauser:

Gus Hauser, 143 113th Street. I really don't care who provides the police protection for Pleasant Prairie. I'm quite sure the Sheriff would do the same good job as Pleasant Prairie does. Pleasant Prairie Police Department, don't get me wrong, has a very good record, and they protect us very ably. But if the Sheriff can provide the same services for less money then let's go for it. Let's remember one thing first of all, it was Pleasant Prairie who duplicated the services and not the Sheriff.

Back in the '70s and '80s, I moved in here in the '70s in Pleasant Prairie, we had good police protection and most of it was provided from the Sheriff. So I don't think it will be any different if the Sheriff would take over now. Especially on the budget, Pleasant Prairie Police Department is the second highest item for us in the general budget after debt retirement. Debt retirement by far outstrips money wise. The police department, the fire department, and all the other departments are behind it. And I'm quite sure a lot of it from the capital is owed to the police department. Because in the budget for the police department what I see there is no monies designated for acquiring the police and the squad cars. There is no money designated for interest what we are paying on it.

Also, on the budget from Pleasant prairie Police Department I still don't see nowhere that any portion of the State road aid. I was told the State road aid gets \$800,000 that we get each year, and that gets divided between the police department, fire department, highway department assessment department, community development department, but yet it does not show up on the revenue from the police department. I don't know why, so I don't really know what our true

budget in Pleasant Prairie is.

So I urge you really to take a look at the numbers that the Sheriff can provide us if it's better. Just because we want to have our own police department that doesn't mean that we have to have it. And just because somebody makes political contributions to Jeff Lauer doesn't mean there's anything that's improper on it. I know the rest of the Board gets political contributions from other people, too, and nobody raises anything of that. Thank you.

John Steinbrink:

Anyone else wishing to speak under citizens' comments that didn't sign up? Hearing none, I'll close citizens' comments.

5. VILLAGE BOARD COMMENTS

Jeff Lauer:

First of all, I want to thank everybody for coming tonight. I just have a comment here for Mr. Cooley. The reason I donated to Sheriff David Beth was because I believed in his campaign and what he was doing, and since he's been in office he has proven it. He has reduced costs. I'm not going to abstain if this ever does come to a vote down the road. That's not a reason to. To do the right things sometimes, we don't know yet if this will overall save taxpayers' dollars or not, but we can't just shove something out the door. We wouldn't be doing our job if somebody offered to save the Village taxpayers' dollars.

Secondly, you talked about political agenda. I believe there was a bill passed earlier this year stating the Sheriff can contract with municipalities. So that's why I'm assuming David Beth presented his position to the Board. So I'll leave my comments for now.

Steve Kumorkiewicz:

I'd like to make a comment on that. The new laws say that the Village or the municipality can ask for the service. It doesn't say that the Sheriff can come and push his services. So read the law which you never do and then you complain. Thank you.

Alex Tiahnybok:

I'd just like to add a comment to what Jeff said. I think everyone sitting up here has received campaign contributions, has given campaign contributions, and I don't think anyone is missing from that list that's sitting up here. So to suggest that it's inappropriate for Jeff to participate in these discussions I totally disagree with also. There's a certain amount of reciprocity in this political business, and Jeff worked his butt off in Dave Beth's campaign. I haven't checked the records but I'm sure he contributed to it, and I'm sure Sheriff Beth was very grateful for that. I don't care where he lives but he does have the right to contribute to Jeff's campaign. I think it's important for everyone to realize that.

Mike Serpe:

I'll hold my comments.

John Steinbrink:

The bill in Madison was brought up again which allowed municipalities to contract with the Sheriff's Department. That's just one of many bills we pass. To clarify again the confusion, when we had our special meeting back then, an amendment to the bill prohibits tampering with the 9-1-1 system calls without notifying the Village about it and that did happen. There was a lot of uncertainty, unclarity. Officers, citizens, everybody put in jeopardy because of those actions. That was the reason for our earlier meeting. It's important that people understand laws that come out of Madison and their purpose and abide by them.

There is another law coming up or another bill coming up which deals with the issue we're talking about here, the double whammie, where a municipality pays for services it does not receive while providing its own services. Representative Underheim has made a proposal, brought forth a bill, to allow municipalities of 10,000 or greater to not have to become involved with the double whammie or the County would not be able to impose a levy on them for services they didn't receive, basically the police services, Sheriff's Department services. I'm not sure where that goes, but it's a beginning of talking about an issue that has plagued many, many municipalities throughout the state.

And as we did look at the one which allowed a Sheriff's Department to come into a municipality of a certain size, this would also allow a municipality to look forward at doing away with the double whammie in helping its taxpayers. There will be public hearings in Madison on this bill. I hope that all people with an interest in it would take the time to testify. I will keep you informed as to what the hearings are, their dates and times, so if there is an interest if you'd like input on this bill you will have that opportunity. Any other Village Board comments?

6. NEW BUSINESS

A. Receive Budget Submission Report from Village Administrator for the 2006 Police Department Budget.

Mike Pollocoff:

Mr. President, this is our first departmental budget that the Board is going to be receiving as part of the fiscal year 2006 budget preparation. It's appropriate tonight that we have the police department budget. One of the aspects of the realm of what we're going to be talking about tonight is the cost of providing for the law enforcement needs of the Village of Pleasant Prairie. So tonight you'll see the Chief's recommendation for what he's requesting in order to operate the police department for fiscal year 2006. Brian, why don't you start?

Chief Wagner:

Mr. President, good evening, gentlemen. What I'm going to do this evening is I'm going to give you an overview of what we're proposing for 2006 for the police department. I'd like to start by just taking a look at the community from a law enforcement standpoint if we could.

The Village of Pleasant Prairie is a somewhat challenging community to police and that's for a number of reasons, not the least of which is that it's geographically quite large for a municipality. We're looking at a municipality that is approximately 34 square miles. The current resident population is 18,600, and it is, of course, as we know rising. The daytime population, the transient daytime population is estimated to be at 30,000 to 35,000 as people come to work here, of course, in LakeView Corporate Park and some of the other commercial and industrial uses that we have, as well as the retail uses such as Prime Outlets which draws a number or quite a few people from the communities surrounding us.

We're located in the center of the Milwaukee/Chicago corridor between Racine and Kenosha and the Zion/Waukegan metro areas. It's critical to understand when you talk about delivering law enforcement services here that we are geographically in the center of about a 140 mile long corridor. If you take all the people that live in that corridor together, you're looking at a population of more than eight million people. So it's important to understand and to recognize that this is not Baron County. This is not Buffalo County. This is a dynamic, growing, metropolitan region in which we live and, of course, which we're servicing.

Currently Pleasant Prairie has great than \$1.8 billion. I'm told its closer to \$2 billion now in assessed evaluation. There are over 74 housing units and, of course, all we've got to do is look around and we can see that that's ever increasing on a daily basis. They seem to grow like weeds in these new developments. There are over 400 commercial uses currently in the Village. We have 160 miles of streets and highways to police. Of course, as I've indicated a land area of approximately 34 square miles.

I've included some information here, because I think it's relevant to the future as we look ahead, the projected population growth in Pleasant Prairie. One thing that's important to understand is that demand on services, not only law enforcement services for that matter, but most municipal services and certainly police service, tends to follow the population. The more houses, the more people that live here the greater the demand. And if we look at this particular chart that we've got up on the PowerPoint there, you can see that the population by the year 2008 is estimated to be well above 22,000, and that's based on known planned housing uses, plans that exist currently today and we receive that from the Community Development Department.

What we'll do now is take a quick look at the police department itself. And, of course, we'll start as with any organization with the human aspects. We currently have 27 sworn officers including myself. We do have a civilian law enforcement support specialist who takes care of

our court function and takes care of also an evidence function and a few other things within the department. Many of these functions we were previously having sworn personnel provide, and we were able to recover those sworn man hours and put them back on the street where they can do the most good. We also have a civilian clerk and secretary on a full-time basis.

Our current officer per 1,000 residents is 1.47. The Statewide average according to the Wisconsin Office of Justice Assistance is 2.35 per 1,000 residents. In Pleasant Prairie, once again, that ratio is 1.47 per 1,000 residents. And all of the staff that I've talked about is housed, of course, at the Roger Prange Municipal Center at 8600 Green Bay Road.

What we have here, and I guess it's not too hard to read, is the operational structure of the police department. Just to give you an overview, I'm not going to go through every little detail, but we do have an investigations bureau. That is commanded by a lieutenant. There are two detectives in that bureau. We have one on day shift and we have one assigned to second shift. The department is divided up into patrol shifts, three patrol shifts, first, second and third. There are six police officers assigned to day shift, along with the law enforcement support specialist that I spoke of earlier and our civilian clerk and secretary also works the day shift as well during the week.

Second shift has two sergeants assigned to it. There are seven police officers and, of course, we have our canine handler, Officer Durkee, assigned to second shift as well. That shift is commanded by a lieutenant, as is the third shift. Currently there is one sergeant assigned to the third shift along with that lieutenant. We are proposing a second sergeant to fill some supervisory gaps that we have, and there are five police officers assigned to third shift. The department is headed by me, the Chief, and Assistant Chief Becker is my second in command.

A little bit about our vehicle fleet. We currently have eight marked police vehicles rotated out every second year to maintain an approximately 2.7 to one officer to squad ratio. It's very important that you maintain that ratio, because if you start to exceed that what will happen is you'll find you'll start running short of squad cars. Cars do go down for maintenance, and sometimes these things happen on the weekends and some cars have to sit and it's important to have an appropriate number of cars.

We do have a specially equipped canine vehicle as well. That's a car that Officer Durkee takes home with him as he is called out with the dog during his non duty hours quite frequently. We also have three unmarked police vehicles. The department will drive approximately 395,000 miles in 2006 between all of our patrol vehicles. We also have two police motorcycles that are leased at a cost of \$1 per year.

With respect to the law enforcement services that we provide, we provide all the services that you would expect a police agency to provide. We provide preventative patrol and 24/7 response to calls for service that you would expect. We offer comprehensive investigative services including sensitive crimes and death investigations. We offer traffic crash reconstruction services. We have a canine officer. We offer forensic computer examination. We have an

enhanced rapid response to active violence capability. That's important because of the demographics of the community we serve. Another point is there are up to five AD's deployed continuously Village wide on a daily basis, on a shift basis.

We also provide a good selection of community services to the community. We have a school resources officer who serves four Pleasant Prairie public schools including the elementary schools which is actually kind of unique. Most police departments who have an SRO program typically has those in the high schools, and some do have them in the middle schools. It's rare to find them in the elementary schools, but it certainly has been a plus for us.

We offer an active neighborhood watch program. Detective Randy Miles is in charge of that program. He does a very good job. We also offer a comprehensive CPTED review process for large scale new development. We work with community development very closely on commercial development that's coming into the Village, and we review that development for anything that might be criminogenic. Obviously, we don't want to put or allow development in the Village that is going to be a problem later on for the community, and so we are very careful about reviewing new commercial development.

We also offer community emergency response team training. I know that some of you in this room have attended that training and I would congratulate you for that. Lieutenant Ratzberg is our CERT instructor. He works with Lieutenant Blazer from the fire department who is also an instructor, and they put on a very interesting three day program. That's happened a couple of times already this year, and I believe there's at least one more class scheduled yet this month. And we also offer an elementary reading school program at Prairie Lane School. We have personnel in there on a weekly basis and we read to the kids. That's just some of the community services that we provide.

I'll talk a little bit about the effective of the police department and the workload that we deal with on a daily basis. In 2004 the Department handled 18,074 calls for service. That's up from 16,195 calls for service in 2003. That's a significant increase in just one year. I believe that a lot of the development that's been approved and that's come on line here is really coming home to roost and we're seeing that in the activity and in the calls for service that come into our department on a daily basis.

Take a look at the officer versus citizen initiated calls for service for year to date 2005. Our citizen initiated calls are about 66 percent. Our officer initiated calls are running about 33 percent, so it's about a third of those calls are officer initiated calls. That would include things like traffic stops and other complaints initiated by the police officer out on the street as opposed to being called by a citizen to respond to a crime or respond to a disturbance.

A little bit about clearance rates. We have traditionally enjoyed a very high clearance rate in Pleasant Prairie. In 2003, which is the last year that these rates were published by the Wisconsin Office of Justice Assistance, our clearance rate was 59 percent overall. Our violent crime clearance rate was 100 percent, our property rates 56 percent, our sexual assault clearance rate was 110 percent. There was a clearance from a prior year figured into that. The aggravated assault rate was 100 percent. The robbery rate was 50 percent, burglary was 36, theft was 57, motor vehicle theft rate was 90 and arson was 50. You can see, and it's not real clear up there,

but it's compared in the chart up on the wall to the Wisconsin State average, and as you can see we're well above the State average in all of these categories.

The arrest rates in Pleasant Prairie, again, are quite high. In 2003 we made 1,130 adult arrests. These are just adult arrests I might add. We haven't included juvenile apprehensions in these figures. Total Part One arrests was 178, and you can see the breakdown for the various other crimes. Just to give you a sense of what some of this means in the terminology, Part One typically are serious crimes. They're going to be crimes against persons or they will be serious property crimes like serious thefts and burglaries and things of that nature. Part Two arrests are pretty much everything else. That's disorderly conduct. It's going to be all the various other misdemeanor crimes and ordinance type violations that we deal with.

A little bit about how we intend to use the resources that we're proposing for 2006. Pleasant Prairie has three patrol areas, and those are determined based on call load analysis. We analyze our calls to see where they're coming from and we assign these areas accordingly. The response time for the department total is 3.31 minutes, and that's just to our highest priority calls. That did not include any other calls. Highest priority calls, of course, would be in progress calls, accidents, things that require an immediate response. Take a call load by the patrol area, you can see the percentages there. The center and the west areas are almost identical in terms of the call load. The east end has less of a call load and thus is assigned less personnel on a daily basis.

Proposed service levels for 2006 we're proposing approximately 55,120 man hours of patrol investigative services. What that works out to roughly is, and I've indicated up on there, on an average day there are 15 to 17 sworn officers, including detectives, working cumulatively over a 24 hour period. In the chart you see there I've kind of broken down how we array that manpower, and I've got that broken down by shift and by area.

Some time ago, a long time ago, the Village Administrator began mandating that all department heads provide goals and objectives, and we've been doing that for a long time, and thus we have provided some here as well. In fact, there are a total of nine goals and objectives, and I'll just run through these quickly. The first one is we would like to or it's our goal to qualify quarterly with our firearms.

The second goal is we would like to or it's our intention to provide a CPTED review for 100 percent of the commercial projects that are reviewed. For those of you that don't know what CPTED is, it's a concept. What it means is Crime Prevention through Environmental Design. Detective Randy Miles is trained in CPTED. It's a 120 hour course so it's quite in depth and he does those reviews for the department. We want to and it's our intention to review 100 percent of commercial projects in 2006.

We also would like there to be no on duty injuries. Obviously you never want to see any injuries. Not only are they painful on a personal level for those of us that know the people involved and have to deal with those folks, we don't want to see anybody get hurt, but they're

also costly. They're costly to the community and costly to the department. So we train. We train on things like defense and arrest tactics and EVAC and other things to hopefully try to minimize our exposure to those injuries. The goal here is that there will be no injuries in 2006.

We would like to maintain our overall clearance rates at 60 percent in 2006, and that's the percentage of crimes that are cleared by exception or by arrest. It's always a standard goal on an annual basis because it's really basic to what we do. We'd like to see our response time's average at four minutes or less, preferably less. We do watch those pretty carefully.

I've got some man hour projections here that we've also included, and I'm going to give you the totals. We intend to patrol and provide 39,845 patrol man hours. When I talk about patrol man hours, I'm talking about not just physically out patrolling but patrol officers in 2006. Investigative man hours is 5,239 hours for 2006. The administrative man hours is 1,852. That's basically me. And then, of course, we're estimate 390,000 to 395,000 miles driven. That's approximately 40,000 miles per marked car.

We're requesting two new programs for 2006. The first one is to promote a sergeant from within the ranks at a cost of \$8,470. This will provide us the ability to bridge some supervisory gaps that we currently have. Those are typically caused by time off, sick leaves, vacations, and things of that nature. It's very important that we maintain supervision at all times and this will enable us to do that.

We would also like to purchase a minimum of four hand-held radios to replace aging and unreliable units at a cost of \$7,200. Currently we have units in service that are more than 15 years old, and what we'll do is replace those that are unreliable.

When we talk about program reductions, we're at a point in our budget where in order to get to where we need to be on an annual basis in terms of reducing programs, the only way to do that is through personnel. There's really no place else for us to go. So what we're offering in the program reduction section is the elimination of a police officer position which would provide a reduction of \$68,796. Let me add, though, that reduction of a police officer would adversely affect the department's ability to provide the level of services that we do today. Reducing the size of the department will increase response times and, I believe, because the clearance rates to fall. Keep in mind that we have rising and not falling workload in Pleasant Prairie.

In terms of capital requests, we're replacing four marked patrol cars. We've budgeted \$100,000 for this purpose. I can tell you that in 2005 the State bid for the Chevrolet Impalas that we purchased were \$17,065 each. We do budget, though, for Ford Crown Victorias, but I don't anticipate purchasing those. I think that the Chevrolets are serving us well, and with gas prices what they are they are more economical to operate. And so at this point it would be my intention to purchase the Chevrolets.

So to summarize the police department budget, we're looking at total revenue of \$66,261, the bulk of which comes from the Kenosha Unified School District to compensate the Village for the school resource officer that we provide them. We're looking at total personnel services including wages and benefits of \$2,527,140. Total contractual services at \$84,750. Total supplies and maintenance at \$78,900. And property and liability insurance of \$35,607 for a total proposed

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budget of \$2,673,271. With that, Mr. President, I'd be happy to take any questions.

John Steinbrink:

Comments or questions from Board members?

Jeff Lauer:

Chief, on page 5 where you showed the graph about the spike in the calls received, since 2003 it went up in 2004, do you know what the main calls were on that? Were they more violent type things.

Chief Wagner:

On page 5 of the PowerPoint?

Jeff Lauer:

Yes, the PowerPoint, what you just went over. I was just curious since it had a spike if it was a—

Chief Wagner:

No, and to be honest with you I don't have that data in front of me, but I'd be happy to provide it to you.

Jeff Lauer:

Okay, I was just curious.

Chief Wagner:

I can tell you we handle a broad range of calls, everything from death investigations to barking dogs, and actually a lot more of the latter than we do the former which is a good thing. But I'd be happy to provide you with that data.

Mike Serpe:

Chief, do you know what grant money is available, if any, at this present time? Like we used to use the COPS grant at one time. Has that all dried up?

Chief Wagner:

It really has. There's very little law enforcement money available at the municipal level. There is some, and we're working with Emergency Government, to work out some funding for some crime prevention activities that we're engaged in. But in terms of the old COPS grants or things of that nature, they just don't exist anymore. Most of that money has gone into Homeland Security.

Mike Serpe:

What I'd like to see you possibly work on in the future would be when you're talking buying four hand-held radios as replacements for some older units, I highly recommend that at some point in time if we ever obtained enough funds that we purchase a hand-held radio and a charger for each and every officer that we have. I think there's a benefit there, just like you issue a weapon to every officer, he takes care of it and he takes care of the radio. You're going to find that there is less maintenance involved because it's their radio, they're the only ones that care for it, and the encouragement there is to have the guys whenever they feel comfortable take those radios with them, and you'd be surprised how many times you'll get police officers calling in something off duty that they see and they're right there. That's real community policing if you will. Just a suggestion.

Chief Wagner:

That's a good point.

Alex Tiahnybok:

Chief Wagner, looking at the budget page 18, the total for the department, I just want confirmation I'm reading this correctly. Prior to the reduction, the potential reduction that you described, the estimated final number for the 2005 expenditures is \$2.635, is that correct?

Chief Wagner:

That's correct. The number you're looking at here does not reflect our revenue, so the number that we presented in the PowerPoint does reflect that revenue.

Alex Tiahnybok:

The total department requests, the \$2.731, that's the 2006 number, correct?

Chief Wagner:

That's correct.

Alex Tiahnybok:

So it's roughly \$100,000 difference. If you look at it over the total budget it looks like about four percent if I'm doing my math correctly, so it sounds like a reasonable change. In scanning the budget that you presented today, looking at the 2005 budget and looking at the 2004 budget, I'm from the business world and maybe I think things differently and maybe not. But in listening to your presentation today, I came up with five different ways to measure the efficiency of services. One is, and you describe the different parameters, square miles, number of miles covered, highway miles, number of man hours, so I came up with five different options.

One would be dollar per mile per hour. Another one would be dollars per square mile per hour. Another one would be dollars per man hour regardless of the coverage. Another way of looking at it would be dollars per call, simple math. You just take the total budget for the department and divide it up by the number of calls taken which I know is very simplistic but something to look at. Another way of doing the quick analysis would be dollars per population served. Is there, and I asked about this in a previous meeting, is there a metric used in law enforcement to truly compare? Is the manpower per thousand population is that acknowledged as the best metric to use?

Chief Wagner:

Pretty much the benchmark, yes. I can tell you that it's difficult when you start talking about numbers of calls because, frankly, those numbers are dealt with differently by different departments. So it's difficult to get a handle department by department on what those numbers mean. It's not impossible. I think actually probably the easiest way to do this is you just look at the number of hours that are being proposed and divide that into the cost of the department, and at that point you can come up with a per hour cost that I think is fairly reliable. That math is relatively easy to do.

Alex Tiahnybok:

I think I demonstrated with the vote on the 9-1-1 issue is that I think politics truly needs to stay out of this debate in the final result of what we do. I think public safety is the only driving force we should be looking at, number one, and then all things being equal otherwise then it comes down to dollars. At this point I'm still struggling. When I look at the numbers presented by the police department versus what the Sheriff proposed I'm still struggling with the difference. It's significant, but it's something I think will come out of the process.

Steve Kumorkiewicz:

I was thinking about what Alex is talking about. I think it's pretty hard to figure out the cost per mile, per hour or whatever. . . . the cost of fuel going up every day. There is no way to measure what it's going to cost. When you work in a factory or a business you pretty much have got . . . what you're going to spend and we can do that. The police department has got to deal with different issues at different times. They've got to put their life on the line for the residents. How are you going to measure that?

After looking at the figures that are being proposed here today, I don't think I have to . . . too much. I have attended these meetings for 30 years, and this is the first meeting you attend on the budget ever before on the budget, and so is Jeff. Consequently, I think we are a little more qualified than you guys on this issue. Regardless of Mr. Matson laughs over there

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Larry Matson (from the audience)

I take exception to what you said.

Steve Kumorkiewicz:

You are laughing. So consequently I don't know. I question your position.

Alex Tiahnybok:

With all due respect, Steve, for you to criticize my thought process I'm offended by that. First off, your analogy to the business world, my company's profits are driven by natural gas prices. So if you want to talk about predictable or unpredictable factors we should have a conversation about that. I'd like to show you a little graph of that. Secondly, your 30 years is respectable and I admire your dedication, but 30 years of thinking one way doesn't necessarily mean it's the right way.

Steve Kumorkiewicz:

There's three ways . . . your way, my way and . . .

John Steinbrink:

I'm going to bring an end to this. The budget process we will enlighten everybody. So there's a lot to be learned here. The staff and the departments have done a lot of work and it's going to be presented to all the Board members for review, and at that time we'll see what comes out of it.

Mike Serpe:

A question I guess is going to go to Mike. The insurance costs are projected to be \$374,950 or 949. That's about \$120,000 more than last year actual?

Mike Pollocoff:

Right.

Mike Serpe:

We don't know what that figure is yet do we?

Mike Pollocoff:

Right now that's an estimate. We won't receive our--we were hoping we would have had those insurance costs really last week and we're running a little late getting those. Quite frankly I'm hoping for the best and I don't think we're going to receive it. We had budgeted a ten percent increase. We've been diligent in the last three years. In the last three years we've had increases I

think that total 17 percent cumulatively which have been good. But the employee group as a whole has had some significant experience. We've had some bad events that have happened that have fallen upon employees and that affects our group rate.

Mike Serpe:

Any word through the grapevine at what we could be looking at as far as total increases?

Mike Pollocoff:

They won't tell me because it's high enough that they don't want to say. Right now we've asked them to examine other companies. Currently we're insured with Principal and we've had a good working relationship with them. But, on the other hand, we've been a good account for them because we've stayed below what we've paid so we haven't exceeded our premiums. But with health insurance all it takes is a couple bad occurrences and the insurance becomes a short-term loan, so that's where we are with that.

There's a couple things I wanted to identify on this process. One is that the Pleasant Prairie budget is a goal and objective driven budget. The Chief is delivering a budget to us that had roughly \$2.7 million, and that \$2.7 million delivers the patrol hours, delivers the--it takes that much to deliver the clearance rate that he's looking to achieve. That's what it takes to achieve the response times that we're looking for and to deliver the service that we can afford.

When the Village prepares a budget we look at new programs. We separate those new items from the budget that are over and above what would be in the existing base, so as the Board evaluates the budget there's new programs we want to fund, we know what to plugged back into the budget base. There are no programs that the Board doesn't want to fund and they don't get plugged into the budget base so the number you see is minus that.

The Chief has made a recommendation. As a program reduction his reduction would be to offer up a position. In the budget that I'll be presenting to you at the end of the departmental budget review process I'm not going to recommend taking that budget reduction from the Chief for a couple reasons. One is that if you look at the chart he submitted on what the call load is doing it's going up. It's not going down. Just from an intuitive standpoint it makes sense not to reduce your officers while your call load is going up.

Secondly, and this is true throughout the entire Village government, we're a government that we provide service. We don't produce a commodity. We don't make a lot of things. We deliver services to people and that's a people intensive activity. To reduce staff in a time of growth doesn't make sense.

I think Alex's comments on different ways to carve up or identify where your costs are going are well taken. I think that the standard benchmarks that are used that Brian has identified, the clearance rate, response rate, officers per thousand. One of the other standard rates that's done by one of the taxpayer watchdog groups is the cost per officer per thousand. And Pleasant Prairie has one of the lowest rates of any community our size. I think we're about \$119 per officer per thousand, or per capita. Kenosha, not to say that they're high but they have a lot of people,

they're close to \$200. Other cities and Village's that are our size tend to be a little bit higher.

One of the things that drives the Pleasant Prairie cost per officer down is really it's been a mind set as to how the Village Board has approached government in this Village in that we as managers in the community are hands-on managers. You'll see Brian in patrol if he needs to be in patrol. His lieutenants or sergeants are on patrol. Chief Guilbert you'll see him on an ambulance. You can see a street superintendent on a truck. You can see Jean Werbie on the counter or working on drafting. We're a relatively flat organization from a management standpoint and what we expect from our managers. It's not typical.

So when you compare what we do with a community with other ones where it's a little more hierarchal where you have, say for a police department, sergeants or lieutenants or captains that are solely in the office, that tends to increase the over head operations for the department and that isn't the case here. So I think that if you're looking at measurements, maybe it's that cost per contact, cost per call, and I think the cost per mile would be interesting to be able to find a--we know we have 34 square miles and the thing is really spread out, is to find another Village or maybe a city of the second class or third class that was a former township where you've got that big run of expanse that you're trying to cover. So those are good concepts to keep in mind.

For presentation, typically on these items its review, it's for questions. The budget will be rolled up in one document probably by the end of the month. It's on the agenda and if you want to approve it you can do that. My recommendation would be that you see them all and take a look at what the roll up is going to be and adopt it that way.

A couple items that were citizen comments that related directly to the budget that I'll address, and maybe I'll get Kathy to follow up on, is that where road aids are in the budget. The Village takes the road aid allocation that comes from the State and it goes into the general fund revenues of the Village. Those road aids are used to reduce the mill rate. So we have revenue coming from property taxes. We have revenue coming from cigarette licenses, from theater licenses, building permits, all sorts of items. And one of the other items we get money from is the road aids. The police department's share of the road aids, because it's based on multiple operations in the Village in that State formula, amounts to about \$94,000. So that's \$94,000 that we don't have to go to the taxpayers as part of the levy because we're getting it from the State.

The biggest part of road aids really comes from public works and highways where the Village is allowed to get credit in expenditures for new roads that are being built in the Village. That value, that expense, goes into the calculation that the State uses when they determine what your road aids are. So the biggest share of ours, even though our operational budget is police, when you look at the total allocation the road improvements that are made by subdividers that develop those roads and give them to the Village that comes back as road aids.

I think that being said, Kathy is there any other items that you'd have on the budget that you'd identify or discuss? Any further questions for me?

John Steinbrink:

Questions for Mike or Kathy?

Jeff Lauer:

Mike, I just have a question or two. I know the Chief recommended possible reduction in staff, but if that weren't to happen, that would be added onto the bottom line again, correct, to the \$2.7 million, just add that back in, correct, if that were the case?

Mike Pollocoff:

In the roll up that I present for the entire budget, there's some program reduction in departments that I'm going to take and I'm going to recommend that the Board take and there are some I'm not going to recommend. I'll tell you as I go along. So as the entire budget rolls up forward, there will be a list of what's fallen out as a program reduction that I'm not going to recommend. So if you do want to take it and put it in there the Board can do that. Or if it's one I've taken and you don't want to take it and you want to put it back in the budget you can identify that separately. So what this document here reflects is what that total budget would be with the additions and the subtractions. So then as we bring that forward up when you see the final roll up budget there will be another column on the budget that says Administrator's recommendation and any changes I've made to that budget since you've heard it until we do the budget roll up.

Jeff Lauer:

And one other question I have, and I appreciate you helping me. I met with you a few weeks ago on this budget process. When it all comes rolled up in one package, as far as your thoughts on the budget process, is your plan to do it at a levy freeze, because I know that's been brought up, or is it just going to be rolled up?

Mike Pollocoff:

Mr. Lauer, I'm going to present a budget to the Board that I believe, one, meets the requirements of the State statute, our obligations within that, and it's going to meet the requirements of what I professionally believe the Village needs for funds to accomplish the goals set forth. If the Board chooses to reduce the objectives of the Village and deliver fewer services, we'll be able to tell you what that corresponding reduction in mill rate will be. If you choose to increase services, I'll be able to tell you what that is, and then you can either schedule a referendum or find something else to cut in the budget.

Steve Kumorkiewicz:

I'd like to make one comment. The department heads present the budget every year, but not necessarily do they get 100 percent of what they ask. That's up to the Board to make decisions

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what we're going to cut off or what we're going to add. So they don't get everything they ask for, right, Chief?

Chief Wagner:

That's correct.

Steve Kumorkiewicz:

It's up to the Board to decide.

Mike Serpe:

What are we looking for tonight, a motion to receive and file?

Mike Pollocoff:

I'd recommend a motion to receive and file.

Mike Serpe:

I'll so move.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion and a second. Is there any further discussion on this item?

Jeff Lauer:

Just for clarification, receive and file means you just take it and accept it as is?

Mike Serpe:

Yes.

John Steinbrink:

Seeing no further discussion, those in favor?

SERPE MOVED TO RECEIVE AND FILE THE 2006 PROPOSED POLICE DEPARTMENT BUDGET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

B. Presentation and Evaluation of the Kenosha County Sheriff's proposal to disband

the Village Police Department and provide contract operations.

Mike Pollocoff:

Mr. President, I've reviewed the proposal that was submitted by the Kenosha County Sheriff as to how the impact of that proposal would affect the Village in terms of budget and operations. Kathy is pulling up the PowerPoint on it. Again, this is our evaluation of the proposal by the Sheriff to the Village Board of Pleasant Prairie to provide contract policing in the Village of Pleasant Prairie.

The Kenosha County Sheriff has presented the Village with a proposal to provide contracted law enforcement services, thereby enabling the Village Board to disband or eliminate the Village of Pleasant Prairie Police Department. The County Sheriff has indicated that there will be huge savings in tax dollars by adopting his proposal for contracted law enforcement, eliminating the need for future capital expansion of police facilities, thereby saving a total of \$30 million dollars for taxpayers over the coming decade. The County Sheriff also assures the Village of Pleasant Prairie that all Village officers currently employed would stay in their chosen careers in Kenosha County.

An analysis of the Kenosha County Sheriff's declaration was prepared by Village staff to evaluate both claims of tax savings, and ability to deliver comprehensive and competent law enforcement services. These findings along with an institutional review of the statutory and political conditions that would influence such a change are also addressed in this report.

Economic Evaluation of Expenditures and Tax Savings. The first area of review is an economic evaluation of the proposed expenditures and tax savings for the Village of Pleasant Prairie. At the heart of the proposal from the Kenosha County Sheriff is a reduction in the size of the police force patrolling the Village from 26.5 to 15 officers. There is no question that removing 11.5 officers from direct police activities will have a significant impact on law enforcement efforts and expenditures in the Village. Point five is really where half of that time or a portion of that time is what the Chief has dedicated towards administration.

The proposal by the Kenosha County Sheriff dramatically reduces the amount of dedicated police coverage in the Village of Pleasant Prairie. The Kenosha County Sheriff proposes to provide 31,200 hours of dedicated coverage, or three patrols per shift per day in the Village. As the slide indicates, the current level of police services, an example in Brian's budget presentation, it's 55,120 hours of dedicated coverage in the Village. That provides three to seven dedicated patrol/response cars, depending on the shift, 24 hours a day, seven days a week, and up to three dedicated investigators per day.

The Kenosha County Sheriff proposes to provide the 31,200 of dedicated coverage or three patrols per shift per day in the Village. The Kenosha County Sheriff has also indicated that a patrol area would be established to provide non contract fourth car that would patrol the I-94 areas as well as parts of the Towns of Bristol, Somers and Paris. That car could be anywhere. There's no contractual obligation in the Sheriff's proposal to provide that fourth car. The Sheriff's proposal does not support how the fourth car would be manned. Our understanding is that car currently exists and would be available upon assistance at no request, at no cost.

The Pleasant Prairie Police Department currently provides 55,120 hours of dedicated coverage in the Village equating to three patrol response cars, seven cars per shift, 24 hours, 7 days per week along with the three investigators per day. The Village Police Department, as every department in the Village, is an integrated and hands on operation where sergeants, lieutenants, investigators, the Assistant Chief, and the Chief of Police perform any and all work necessary to meet the law enforcement needs of the Village, including but not limited to direct patrol and law enforcement.

Analysis of the expenditures and savings. As reflected in the table that's shown on the screen, a reduction of 16 police officers reduces the 2006 proposed expenses significantly. This also causes a corresponding loss of Wisconsin State Transportation Aids that are paid annually based on how much the Village spends for law enforcement. So under the Sheriff's proposal you have \$1,860,214, because we'd be spending less than our budget had reflected, there would be reduction in State aids of \$94,034.74.

With a reduced number of police officers engaged in direct law enforcement there would be a corresponding reduction in revenues realized in the Pleasant Prairie Municipal Court. Reduced arrests and citations prosecuted are estimated to cause a reduction of \$109,193.25 per year in Municipal Court Revenue. The subtotal is \$2,063,442.67. That comes to a cost per man hour of \$66.13 under the Sheriff's proposal and \$58.11 under the Village's.

An additional area of fiscal impact relates to stranded expenses that the Village of Pleasant Prairie will need to account for if a contract for law enforcement services is executed with the Kenosha County Sheriff. Those are broken into direct expenses that we will incur. The first one is unemployment compensation which really has two parameters. One is the best case and one is the worst case.

With respect to the area of unemployment compensation, it's significant and financial risk to the Village. Under the proposal submitted by the Kenosha County Sheriff, of the 27 employees to be terminated by the Village of Pleasant Prairie to be terminated by the Village of Pleasant Prairie, there would be 15 positions that would be hired by the Sheriff for the new limited patrol in the Village. Consequently there would be a certain exposure to the Village of \$205,296 as 12 police officers; employments would be terminated. The Village of Pleasant Prairie would be financially responsible for their unemployment benefits.

The Kenosha County Sheriff has stated that he would hire 15 Pleasant Prairie officers, but under Wisconsin State Statutes, that is not his sole decision. Section 59.26 (10) (a) of the Wisconsin State Statutes provides that "if a county provides law enforcement services to a city or village, and if the sheriff appoints additional deputies to provide the services, the sheriff shall, to the greatest extent possible, fill the additional deputy positions from the ranks of former police officers who lost their positions when their department was abolished."

The Wisconsin State Statutes still require the sheriff to select candidates that have been successfully processed through the civil service selection process, and the provisions of the Kenosha County collective bargaining agreement would insure that existing deputies would be placed first and would select shifts by seniority. As much control as Kenosha County might have in the situation, realistically, he does not control the Kenosha County Civil Service Commission. Either way, the financial risk is the Village's to assume if no one or 15 are hired by Kenosha County, regardless of what the Kenosha County Sheriff promises.

So those are the two largest direct costs, personnel training costs in 2005 of \$22,701 is a value for personal training expenses incurred in fiscal year 2005 for use in 2006. Although some of the expenses would benefit the Kenosha County Sheriff assuming the employees were selected, not all employees will be selected by the County Sheriff. \$15,200 uniforms and weapons from former Pleasant Prairie officers would be of no use after a contract with the Kenosha County is executed. Weapons may or may not be usable with many being owned by the police officers. Pleasant Prairie squads and their equipment valued at \$149,264 would be of no use to the Village. Police light bars, cages, mobile terminals are specific in use. All such equipment would be scrapped or sold at auction.

Finally, there is still debt of \$59,267 remaining at the Prange Center that is allocated for the area occupied by the police department. Although the Kenosha County Sheriff has generously granted the Village the opportunity to use that space for other departments, there currently are no departments that are staffed to the extent they need to occupy more space.

The total 2006 cost to the Village for contract policing, you'd have the Sheriff's proposal of \$1.8 million, loss transportation aids of \$94,000 and change, expected loss in court revenue of \$109,000, direct stranded expenses for a total cost to the Village of \$2,665,435.

As indicated in that table, it would cost the Village of Pleasant Prairie \$2.6 million to purchase 31,200 hours of less police services than what the proposed budget from the Pleasant Prairie Police Department reflects. The proposed elimination of 12 professional Village police officers will provide a net savings of \$537,617 and cut dedicated police patrols in the Village of Pleasant Prairie by 43 percent, nearly half of what village residents are accustomed to.

If the desire of the Village Board is to eliminate police officers from the police department because it is determined that tax dollar savings outweigh public safety, the cost to do so and still retain officers from the Village would be less expensive than contracting with the Kenosha County Sheriff. Under the Sheriff's proposal the expense would be \$2,665,435.67, and eliminating 12 police professionals from the department and keeping 15 uniformed officers would be \$2,227,377 with the unemployment expenses being reduced in comparison to the exposure from the Kenosha County proposal. There would also be fewer stranded expenses.

The next table, Table 4, is just an examination of existing and proposed policing staffing levels versus the Wisconsin average. The staffing level proposed in the Sheriff's proposal in Pleasant Prairie would be .81 officers per thousand of dedicated patrol in the Village. The current level is 1.47. The existing staffing level for an average across the State is 2.35. The Sheriff's staffing level elsewhere in Kenosha County would be 2.43 with the qualifications based on the number of

officers and the population within the communities.

The next issue is the issue of tax equity and delivery of police services. The other thing I want to do is summarize by saying what the consequences of reducing law enforcement services from existing levels. Response time to emergencies will increase. There will be fewer officers within the Village to respond to calls. The quality of police response will fall as officers become overwhelmed with an almost double workload. As the Chief has indicated, we're anticipating 18,000 calls this year. It's now growing and we're going to reduce and cut the dedicated squads in the Village down to 15 officers. There's no reason to believe because we've reduced the number of squads available that the Village residents will decide to call less often. That won't change.

The Village will lose approximately 175,000 patrol and response miles driven per year. There will be fewer cars on the road to patrol. Crime clearance rates will decrease. The budget that was presented by the Chief tonight is a budget that is structured to deliver 60 percent clearance rates. Criminal arrests will also decrease. Community programs such as Neighborhood Watch, school reading programs, Kids and Cops are out.

The other thing that would fall by the wayside that currently our department does and, again, it's part of our integrated services of delivery in the Village is the extent to which the police department assists fire and rescue when a rescue call or a fire call is available. If I can, I was going to put Chief Guilbert on the spot and have him come up and describe the relationship between the fire department and the police department. Typically the police department their response time is just over three minutes on a rescue call to someone's home. I know. I've had them to my house a few times. They always beat the fire department.

Chief Guilbert:

I always love a challenge. I'm Paul G. Guilbert, Jr. I'm the Chief of Fire and Rescue. I work at 8044 88th Avenue. Pleasant Prairie has been known for its provision of emergency medical services since 1977 and it's only grown better in that time. In 1991 we upgraded our service to paramedic level of care. To provide that care we say we bring the emergency room to your living room. We come in with multiple bags of equipment. And the only way we're going to move out of your house quickly is with assistance, and that comes very routinely from the police department.

When we involve the police department in providing our emergency medical service and the police officers were getting there first, they became frustrated in the fact that they were there ahead of us and there were people in dire need, and they saw some of the things that we could do. So they asked if they could be trained in CPR and they could be trained to use automatic defibrillators. The Pleasant Prairie Police Department participated in a Statewide pilot program where it was a demonstration project that police departments could take police officers, train

them as civilians, and allow them to provide automatic defibrillation service. So the Pleasant Prairie Police Department participated in that pilot program that was recognized and that's now a very common practice throughout the State of Wisconsin, and in particular the Village of Pleasant Prairie.

One of the other things that we need to point out is that from time to time we're dispatched, as is the police department, to a call where there is some ongoing violence. A domestic dispute, people that have taken an overdose of drugs become violent, or people that just want to see uniformed people there and see how they can create some havoc. Our personnel are not armed. Our personnel aren't equipped to deal with that situation, and at times when we respond we need the protection and the cover of police services. Because of the rapid response time of both our departments, the public is served better in that our response times are such that we're arriving that we're not sitting there waiting for the police department to arrive.

The same thing goes for what they're able to do for us at fire calls. They're finding addresses for us. They're finding fire hydrants for us. They're blocking roads. They're allowing our people to work under very safe conditions. All of which goes hand-in-hand with the response times. Although we drive vehicles of different color, we wear different uniforms, it's just together that we provide that much enhanced service to the citizens of the Village.

Mike Pollocoff:

Thank you, Chief. It goes without saying that the services that fire and rescue depends on will now be answered by three squads per shift rather than up to seven squads per shift, and those other squads will be coming from who knows where.

The other issue that was brought up by the Sheriff is the issue of tax equity and delivery of police services. During an emergency meeting of the Pleasant Prairie Village Board on August 29, 2005, concerning a new policy where the Kenosha County Sheriff had directed public safety dispatchers to question callers concerning which police agency they preferred to respond to their request for service, the issue of tax equity, or double taxation, was brought up by the Kenosha County Sheriff. In justifying his actions on manipulating how police calls are dispatched the Kenosha County Sheriff stated the following: "So we have started addressing the fact that Pleasant Prairie has paid double taxation and we are sending Sheriff's cars.

The Village of Pleasant Prairie, the City of Kenosha, Kenosha County, and the Kenosha Area Business Alliance commissioned a study by Virchow Krause & Company to examine the issue of double taxation or tax equity. The goal of the study was to evaluate the extent of the problem and determine if it is real and recommend solutions to the problem. The study released by Virchow Krause & Company May 20, 2004, found that the Village of Pleasant Prairie, along with the City of Kenosha, and the Village of Twin Lakes significantly subsidize towns in Kenosha County. The findings are presented above.

Up above you can see that Virchow found that with respect to patrol the Village subsidizes County patrol and the County, and this is in 2002 dollars, at \$742,145. Investigations we subsidized those by \$179, 153; civil process subsidized \$21,104; drug unit \$61,949; dispatch \$104,337; a net subsidy of \$1,108,688.

Again, tax equity is where these are services that the Village provides. Kenosha provides those same services, and they provide them to the towns without a contract, without a direct charge. It's just part of the County tax base. The Village and the budget you adopt, you saw tonight, creates a levy to fund a full service police department, and then we pay to Kenosha County \$1.1 million to provide services to towns. It is interesting to note that the recommendation of the study was to form a joint or metropolitan police force that would have appeal if the department was headed by a professionally-trained, merit appointed, non-elected official. This would require an amendment to the Wisconsin Constitution. The study also recommended patrol beats regularly covered by the same officers on a consistent basis so that citizens identify with specific officers.

What is significant about the tax equity study and the Kenosha County Sheriff's proposal for contracting law enforcement services is that the subsidy to the towns will still continue. It won't stop. So continue to contribute \$1,108,688 dollars, and that's 2002 dollars so it's higher than that. Under the Sheriff's proposal, we'll pay that to the County, and then we'll also pay Kenosha County for the 15 officers to patrol the Village, and Village taxpayers will continue to contribute that money to the towns and small village so that they do not have a direct charge for law enforcement on their property tax bills.

All that changes under the Kenosha County Sheriff's proposal is that the Village has agreed to reduce their own level of service of dedicated police protection while continuing to pay Kenosha County the town subsidy to maintain their level of police protection. The Village loses dedicated patrol vehicles in order to finance a tax gimmick. That's all this is. You're going to achieve tax savings by the Sheriff's proposal, and you're going to do it by reducing your level of service. At the very same time the Village is reducing their level of service, the Sheriff is going to continue to provide service to the towns at no charge. The Sheriff is going to continue to provide service to the small villages at no charge, and until the Kenosha County Board steps up to the plate and says there's got to be a charge for police service if you're a town of 9,000 to 10,000 people growing everyday, and you're either going to pay us for police services or you're going to create your own police department, that's going to continue to exist. And until the Kenosha County Board summons the political will to address that problem, that's what's going to happen.

Do not think that the Sheriff's proposal does anything to the tax equity study. He's not giving. He's taking in this. He's still continuing to take money and he's giving the Village less service. If the Board agrees to the contract, you're agreeing to say let's have less police officers, and we're going to save money, but you're still going to pay the County the money.

Another issue the Sheriff brought up in his proposal is that the Kenosha County Sheriff's proposal takes significant liberty with the millions that will be saved by the ability of Village residents to take advantage of existing Sheriff's facilities located in downtown Kenosha and in the future at the Kenosha County Center at Highway 45 and 50 in Bristol. The millions referred to by the Kenosha County Sheriff is the future police facility that was identified by Virchow Krause & Company in an impact fee study prepared for the Village of Pleasant Prairie.

The purpose of the impact fee study and resulting ordinance was to establish a method whereby new development coming into the Village of Pleasant Prairie would help existing taxpayers pay for additional infrastructure rather than having all taxpayers pay for the improvements within their property taxes. In the case of police facilities a future police station was planned for a community, Pleasant Prairie that has a population nearing 40,000 people, twice the current population of the Village. The projected cost of the facility is \$12.5 million dollars. The Sheriff has indicated it's going to be \$20 million. I think his ability to project construction costs in the future is admirable. I think there's probably even a market for that kind of ability. But the money that the Village collects is going to be put in interest bearing accounts. The cost for the facility will be paid for by impact fees levied upon new development in the Village. Residential dwellings are charged \$575.00 per unit and commercial development is charged \$1.14 roughly of valuation at the time of the permit. These fees insure that the existing taxpayers will not pay for the added capacity.

What the Sheriff would have you believe is that the impact fee doesn't exist. That when the impact fee is paid that's just like having a property tax and it's the exact opposite. What the impact fee does is it ensures that the existing property taxpayers don't pay for it. That every new house that comes in puts in their per unit cost into the base so that money is there. The Village keeps that money, it's invested, and at the time we pull the trigger to build a new building, which could be 5 years, 15 years, whenever we start running out of space, that's when that money comes out of the accounts and is spent. It's not a property tax. The County doesn't have that. The County doesn't have an impact fee for police facilities. We used taxpayers to pay for the Sheriff's expansion at the downtown site when that occurred. We as taxpayers are going to pay the cost if he decides to build a substation out at 45 and 50. No matter what happens, we'll pay 17 percent of whatever the Kenosha County Sheriff spends to build another law enforcement support facility for the towns in Kenosha County. And our residents will travel either to that facility or to the downtown facility because we will have abandoned the one we have.

What Village taxpayers will have to pay for is another station. Based on the comments that have been made in the proposal, either the Sheriff doesn't understand what an impact fee is, or to promote this cause he believes if you say it's a property tax enough times people will believe it. Well, it's not. That's the last thing it does. Because if you don't collect that impact fee, you are going to, whenever you decide you need that building, you're going to have to levy a tax to put it on. If you have the impact, you will not levy a tax to put that on. I'm amazed at the demagoguery that goes on with that impact fees. Because I think at the end of the day either you're supporting home builders and developers to keep their cost down, which is very likely, or you think it's okay to have the existing people pay for the impact of new development.

The next item I'd like to cover is the ability to provide the desired service and the capability of the vendor. Central to the Kenosha County Sheriff's proposal is that the existing staff of 56 sworn deputies would not be able to provide the Village of Pleasant Prairie with the level of service that currently exists, so an additional 15 deputies would be hired to cover the Village. Essential to the Sheriff's assumption is that the existing 56 deputies have enough surplus time available that they will be able to fill in all the gaps that the 15 new deputies do not handle. Again, that's 18,000 calls this year for services, and that number is going to grow. This includes those times when the Sheriff's proposal would provide for three squads per shift patrolling the

Village, when the current level of service at times has seven cars patrolling the Village of Pleasant Prairie. Consequently it is important understand at what level the existing Sheriff's department is performing at because that is what the Village will receive from the County. What he's doing now is what we'll see if we're using him as a contractor for us.

Some agency comparisons. Kenosha County Sheriff serves a community of approximately 37,866. I realize he's the Sheriff of all he sees, but the City of Kenosha takes care of what they have and we've taken of what we have and Twin Lakes does theirs. So our estimate of the population he serves is 37,866.

He handles 31,000 calls for service per year. The department consists of approximately 90 sworn officers in total, and based on what we were able to deduce out of his budget we're looking at an operations budget of \$12 million.

The Pleasant Prairie Police Department budget which you just saw, serves a community of approximately 18,600. We handled 18,074 calls for service in 2004. The department consists of 27 sworn officers including the Chief, and an annual budget of \$2.7 million.

The Village Police Department has increased in size over the years as the Village of Pleasant Prairie has grown. The department has produced impressive results for any police department in the State of Wisconsin and was just recently a significant part of the Wisconsin Award for Municipal Excellence by the Wisconsin League of Municipalities. The Village Police Department maintains one of the lowest officers per capita in Wisconsin at 1.45 officers per 1,000 population while the Wisconsin average is 2.35 officers per 1,000 population.

The operational expenses of the Village Police Department are the lowest among comparable communities at \$112.53 per capita when compared to the Wisconsin average of \$197.75. The Village Police Department has been frugally managed and the management staff is totally engaged as hands-on managers. Brian is excellent at this. The previous Chief Horvath was the cheapest guy I've ever met, and he ran the department that way. The performance results speak for themselves, especially when compared to the Wisconsin average and the performance results Kenosha Sheriff's Department.

The first area is clearance rates. I realize those are difficult to read and I'll work through them here. One of the better measures of the performance of how successful a law enforcement agency is the measurement of what the crime clearance rate is. The clearance rate is the percentage of crimes reported that have been cleared by arrest or exceptional means, as defined by the Criminal Justice Statistics Center. The Wisconsin Office of Justice Assistance report, Crime and Arrests in Wisconsin 2003, is the latest report on comparative crime clearance rates. Every department keeps crime clearance rates that are active. As the Board you see the department's monthly reports and you saw reports in the budget of where the Chief is, but as those numbers are chewed up by the State, those are the numbers that are comparable so we have apples to apples comparison.

The Village of Pleasant prairie has excelled in the area of clearance rates. For total clearance rate the Village rate is 59 percent. The Kenosha Sheriff rate is 35 percent. The Wisconsin average is 24.3. 59 percent is a very good number. Property crime clearance rates for 2003, the Sheriff is

33 percent, the Village is 56 percent, and the Wisconsin average is 22 percent.

The next item is the rape clearance rates. The Village is 110 percent. Again, that's based on a clearance from a prior year. The Sheriff is 83 percent, and the Wisconsin average is 66 percent. The next item is aggravated assault clearance rates. The Kenosha Sheriff is 80 percent, the Village is 100 percent, the Wisconsin average is 67 percent. Robbery clearance rates in 2003, Sheriff is 40 percent, Wisconsin average 26 percent, the Village is 50 percent. Burglary clearance rates, Kenosha Sheriff is 10 percent, Wisconsin average is 16 percent, and the Village average is 36 percent.

Theft clearance rates, Kenosha average is 40 percent, Wisconsin average is 24 and Pleasant Prairie's is 57 percent. Motor vehicle theft clearance rate, Kenosha Sheriff is 31 percent, Wisconsin average is 21 percent, Pleasant Prairie is 90 percent. Finally, Arson clearance rates, Sheriff is zero, Wisconsin average is 20 percent, and the Pleasant Prairie Police Department is 50 percent.

In every category reported for crime clearance rates the Pleasant Prairie Police department has exceed both benchmarks and the performance of the Kenosha County Sheriff's Department. The village has come to expect their police department to actively solve crimes that are committed in the Village. Under the Kenosha County Sheriff's proposal, the overflow of work from the 15 deputies in the Village would be handled by existing personnel from within the Sheriff's Department. Currently with more than twice the staff as the Village police department, they are not able to produce comparative results and they will be expected to produce more based on the additional workload.

The next area is arrest productivity per officer. Part One and Part Two refers to uniform crime reporting index. Part One crimes include all crimes against persons and serious property crimes such as theft, burglary and arson. Part Two crimes include most everything else such as disorderly conduct and trespassing. It is very significant that the Pleasant Prairie Police Department's total arrest figure is 63% of Kenosha County's total, yet the Kenosha County Sheriff's Department has twice the population and three times the amount of personnel to do the work. After 12 productive professional law enforcement officers are terminated from the Village of Pleasant Prairie, Village residents will be rely upon a department that has not been able to perform neither the quantity of work or quality of work per officer as the Village of Pleasant Prairie. An examination of those numbers are significant.

Another way to compare officer productivity is on an individual basis per officer. The Pleasant Prairie Police Department has 27 sworn members. The Kenosha Sheriff's Department has approximately 90 sworn members engaged in non-corrections or other services such as process. The total arrest at Pleasant Prairie is at 1,130, and the Kenosha Sheriff 1,798. You look at the arrest per officer it demonstrates that the Village police officers with 41.85 arrests annually are more than twice as productive on an individual basis as and substantially more productive than the Wisconsin average of 24.88 arrests. Again, the existing Kenosha County Sheriff's Department, who under the Sheriff's proposal the Village of Pleasant Prairie will rely upon, cannot perform to the Wisconsin average, let alone the level of productivity that Village residents have come to expect from their police department.

It is easy to calculate the cost of each arrest by simply dividing the number of arrests into the annual budget of the department. If one assumes that the non-corrections cost of the Kenosha Sheriff's Department is in the \$12,000,000 range annually, the cost per arrest is \$6,674.08. Pleasant Prairie with its budget of \$2.6 million has a per arrest cost of \$2,300.

This can also be done using call for service data. According to the Sheriff his department does approximately 31,000 annual calls for service. Again, assuming a \$12,000,000 annual budget the cost per call is \$387. In Pleasant Prairie, using the same method generates the cost per call is \$136.

When evaluating all of this information, it is difficult to argue that the Pleasant Prairie Police Department is not one of the most effective and cost efficient police agencies in the State of Wisconsin. The termination of 12 law enforcement professionals and simply counting on an agency that can not currently perform to the levels that the Village Police Department does means residents will not only receive less dedicated coverage, they will receive law enforcement services that are not of the same quantity and quality that they currently have.

The next area is response time. In the proposal from the Kenosha County Sheriff, he indicated that his response time to call service was 2 minutes and 29 seconds, a truly amazing number when you take into account the distances that are traveled by the Sheriff's deputies.

Up there, if you want to go back, Kathy, to the next slide, that's the Kenosha Sheriff's calls for service for 2004 for the year. And he claimed he received claimed calls of 73,117. Trying to get to where the calls were, we took a look at some minutes from a meeting with his appropriate committee for the County Board, and at that it was 31,000 calls roughly. Here we have officer initiated calls which would be a significant number of calls are generated by the deputy at the site, meaning the response time is zero. Not to mention that many of the deputy generated calls are not requests for service but acknowledging a presence. No citizens are visited, no report filed, no ticket issued, just a visual check. This is known by most law enforcement agencies as doing patrol, in Kenosha County it is building call volume. It reflects significant work load for the daily *Kenosha News* blotter. As discussed previously, when the State of Wisconsin recognizes officer productivity at almost 20 arrests per deputy, and the Sheriff claims 73,117 calls for service the arrest per officer should be around 800, and it isn't.

In order to evaluate response times the more a more comparative light the Village selected two critical response issues. One is personal injury car accidents and the other is domestic violence or family trouble. Both events typically demand quick response. The car accidents are typically on major highways or roadways that will typically receive good response times. The domestic violence or family troubles are in subdivisions or neighborhoods that can be away from well traveled arterials.

Why don't you go to that next graph here. This graph depicts the Pleasant Prairie response time to a personal injury accident. The average response time for the Village is 3 minutes and 40 seconds. What we show on here, we've grouped these calls up, clumped them together, so you have zero to one minute, one to two, and it's the number of calls in that range there. As you can see, on the Village response time the calls are really located up towards the quickest part of the response area. The yellow line indicates the cumulative frequency. So by the time you get to four minutes we're above 50 percent, we're above 60 percent. We're almost at 70 percent of the calls have been responded to in less than four minutes. And as time goes on that frequency kind of flattens out, then you see some stragglers out there and they're out there. We have some that were beyond 15 minutes. For a person injury accident which is going to be a quick response, we're really clustered right in this area here.

Go to the next chart. This chart kind of delineates, again, from zero to two is 58 calls, what percentage that was and, again, you can see by the time you get to four minutes, 65 percent of our calls are answered within four minutes or less. When you get to five minutes, 72 percent have been answered in that speed. The median response time is 2 minutes and 49 seconds, and the median is the measurement of when you add all these calls together what is half way, what's the middle point. And that just kind of tells you, gives you a flavor, for how good your average is.

The Kenosha County Sheriff PI response time is different. Now, these times were taken off the computer aided dispatch from Kenosha County. And compared to the Pleasant Prairie chart which is clustered right close by, these tend to drag out. The average response time for the County on a PI accident is 6 minutes and 2 seconds. So when you get to 50 percent here of the calls, you're in that six minute range right there. That's just about the average. The meeting response time is 5:35. So more of the calls are quicker, but there's still a significant lag in the number of calls that go out over time. Again, these response times are assuming that the responses are taking place outside of Pleasant Prairie in the Kenosha County area, Somers to Randall to wherever. Under the Sheriff's proposal, the Village would, again, on those outside calls be relying on those outside squads to come and support the 15 guys that are here.

Kathy, you want to go to that next graph? You can see the most frequent at six and seven minutes, where the bulk of that is concentrated that's probably what gets his average there. The median, again, is 5:35 so it's structured more again toward the quicker side.

The next response time, response times to family trouble, these are significant response times in the sense that if you've got, and hopefully nobody has family trouble, but if you have somebody that is causing domestic violence or abuse they're in your house. You want somebody there and you want them there quick. Pleasant Prairie heavily weighted towards the fast end here. The average response time for these calls in Pleasant Prairie is 4 minutes 50 seconds. You can see it drops down. We don't have too many to get into this 9 and 10 minute range, and we have a few stragglers that occur that fall out there. So by the time we've hit this point here where the percentage jumps up, almost 80 percent of our calls have been responded to in that time. If you want to show the table, Kathy, we have the average response time of 4 minutes, the median response time is 4 minutes 8 seconds, those are pretty close. The continuity, you can see the bigger numbers. Really quick, zero to one, 52 of them and then it kind of clusters down here.

The next graph again is the Kenosha County Sheriff trouble. This one really spreads out. It assumes

that bell curve with the exception of almost 30 calls that are beyond 30 minutes. The average response time for a Kenosha County Sheriff to a family trouble is 10 minutes 45 seconds. The median response time is 9 minutes and 22 seconds. So by the time we get to 50 percent of their calls, we're well within that ten minutes area there. Again, if the three squads that are patrolling the Village aren't able to handle the call, we're going to be calling a squad from out in the County and these are the times that we're going to be looking at more than likely.

The response times for the Village of Pleasant Prairie reflect the current staffing levels that we currently have today and a number of squads on the road that can be as high as 7 on some shifts. The Kenosha County Sheriff's response times reflect their ability to respond to the citizens they now serve. Under the Kenosha County Sheriff's proposal the dedicated patrol in the Village will be reduced by 43% and the backup squads from the other areas of County will be responding into the Village with an average response time of 10:45. This is a significant reduction in service for a call that concerns a disruption that is actively taking place within someone's home.

One of the facts that's consistent in a relationship between a contractor and their customer is that the contractor is reliable, will deliver promised results, and the voracity of their statements are beyond reproach. The Kenosha County Sheriff has advised the Village of Pleasant Prairie that this is important to him as well. Below are some of the insightful highlights that we've received recently. From David Beth, "I like to deal with truths." This was a statement he made before the Pleasant Prairie Village Board August 29th. "Pleasant Prairie has double the officers per population if you take 18,000 and divide 26 officers you will see that you have more officers than the average department does in the State of Wisconsin." This is in his presentation to the Board on September 6th.

The Pleasant Prairie Police Department is staffed at a level, 1.47 officers per 1000 population, that is 39 percent below the average for communities in the State of Wisconsin with an average of 2.35 officers per 1000 and that's from the Office of Justice Assistance.

"In January, from January 1, 2004 to December 31, 2004 the Sheriff's Department, with its six district cars, handled 73,000 calls." That was a presentation made to the Village Board on September 6th. In discussion with the Law Enforcement Committee, the Sheriff indicated that, "KSD handles 31,000 calls for service per year. This is done with 6 to 8 people on days, 6 to 10 people on 2nd and 6 to 7 people on 3rd." "I heard Mr. Pollockoff on the radio say the other day that your department had a very good response time between three and four minutes. And that is. I didn't truthfully know what our response time would be until it came out of the computer. I think ours is equally as well and that's two minutes and 19 seconds per calls." Again, from Sheriff Beth on September 6th.

The reality of the response time is what we just discussed in the significant calls. The personal injury accidents, the domestic disturbances. Six minutes and 2 seconds, and 10 minutes and 45 seconds is a long spread from two minutes. I think it's probably physically impossible for your average to be two minutes unless you have close to 30,000 calls at zero response time.

"We contract with Paddock Lake, Racine contracts with agencies or jurisdictions within Racine, Dane County has 22 jurisdictions in it. Nine of those are patrolled in contract services by the Sheriff's Department." Again, that was the presentation on September 6th. The reality is that Racine County communities there's seven. The average population of those communities is 2,995. Dane County communities the average population is 3,275. The Village of Paddock Lake is 3,196. And, of course, the Village is 18,600. The Village is a different animal. And to say that Sheriffs do this all over the

place with similar communities and . . . is clearly not the case.

“The ‘tax freeze’ issue is on the top of all taxpayers lists for topics with elected officials. If I am asked to comment, I will gladly do so and to offer options that are under my control. I have no intention of walking uninvited into a Pleasant Prairie Village meeting with a plan involving KSD ‘taking over.’” That was Sheriff David Beth on April 22nd, right after the election, with an e-mail sent to members of the Sheriff’s Department denying rumors he had plans to contract with Pleasant prairie Law Enforcement Services. In reality at our September 6th meeting, as Trustee Serpe stated, “Sheriff, there’s a whole lot of information here to digest obviously. Just one question of you. Was there any member of this administration or the Board that made the request for you to bring this proposal forwards?” Sheriff Beth: “No, and there wasn’t at Twin Lakes when I did it for them either.”

“The dispatching center would physically be able to handle all calls for service for the Village of Pleasant Prairie but would require an addition four Public Safety Dispatchers to assist with the additional 16,000 calls for service.” That was in his presentation on September 6th. On September 28th, Ms. Sue Marcinkus, Director of Kenosha County Joint Services, indicated to the Village that she was not prepared to agree to a contract for any transfer of dispatching services at this time as they were dealing with space constraints that could not be resolved for an additional two years. Ms. Marcinkus also advised that she did not agree with the dollar amount quoted in the Sheriff’s proposal to the Village. The Joint Services Governing Board has taken the position as of September 27, 2005 that they were not prepared to accept any contracted service agreement for 2006, and Ms. Marcinkus was directed to formally make the Sheriff aware of that decision.

Summary and recommendations. The proposal by the Kenosha County Sheriff to eliminate the Village Police Department and provide contract law enforcement services to the Village of Pleasant Prairie is significant. Historically the Village Board has placed the highest priority on providing public safety services over any other municipal service. Public Safety, and the need for effective and high quality police, fire, and rescue services has consistently held the highest priority during all budget deliberations. Wisconsin State Statutes place that responsibility squarely on the Village Board. Pleasant Prairie is not a town that can shirk that responsibility to the County Sheriff. In fact the former Town of Pleasant Prairie assumed the responsibility for providing law enforcement services long before the incorporation of the Village of Pleasant Prairie.

The Village of Pleasant Prairie, through the diligent use of an independent Police and Fire Commission has established and built an awarding winning police department, staffed with qualified men and women that deliver high quality law enforcement services at the lowest cost possible while maintaining the best performance and productivity. This Police Department is totally accountable to the Village Board for their performance and the Village Board has sole responsibility for the actions of the department.

Typically, contracting in local government provides a method whereby a municipal government can receive a similar or better good or service at a better price. The risk in turning over the most essential and important service that a government has, the safety and welfare of their citizens, for anticipated savings is significant. In this case the police needs of the community would be turned over to a Sheriff, which is a political creature both practically and constitutionally. If a future Sheriff feels that he needs more money or is politically served in a more advantageous manner to reallocate resources in a different way, the Village's recourse is to break the contract and start from scratch. The risk of dealing with an elected Sheriff is whether or not the person is competent. A news photographer has been the Sheriff for example, or a Sheriff could be elected that has not shown the capacity to promote through the ranks professionally but is electable. This was a definite concern expressed in the Tax Equity Study by Virchow Krause & Company as they recommended a joint police department should be led only by a merit appointed professional, not a politically elected Sheriff.

Does eliminating 43% of your police budget save money, yes it does, but it also eliminates the municipality's ability to keep their citizens safe. Any municipality can eliminate their Fire and Rescue Department and save money, eliminate Planning and Zoning and save more money. The real issue is can a local government operate frugally and effectively, and Pleasant Prairie does.

Not that Pleasant Prairie is subject to some of the events that happened in Louisiana or Mississippi, but if you're a municipal official and you're a professional and you don't look at what happened in communities like that, or if it's a community that's hit by a tornado or some calamity or a train derailment with some significant materials on board that would cause us to evaluate the Village, and in order to save some tax dollars we've gutted our police department, we've funded our contractor in such a manner that he could continue to provide free services to other communities, I don't know how you answer constituents. I don't know how you look the citizens in the face and say we saved a few bucks and it looked good and we have a tax savings, and we saved you some money and we cut the police department. We cut the most essential department we have in this community.

I've been here 20 years. I've never once seen any Village Board, and all the Village Boards are different, there's different guys on them, I mean every single one of them took to heart the most important department that got funded first was police. The next department not far behind, if a breath behind was fire and rescue. That is what we do.

Mr. Hauser made an enlightened comment that those are our biggest budgeted items. You be they are. That's what people depend on us to do. The people who are police officers, paramedics, fire fighters, they see things every day that none of us should have to see. They see things that we don't want to see. They take care of the things that we need to do. And to save a few bucks and satisfy a political campaign to say that you're saving money and put that at jeopardy is beyond me. To rely on a department, we've gone through their performance, that doesn't perform to our existing levels I think that's putting the Village residents at risk unnecessarily. I think it puts anybody who travels through this community at risk on this unnecessarily.

I think it's something that the community needs to come to grips with is that Pleasant Prairie is not a town. We've incorporated as a Village, and one of the reasons we did that is because we wanted to be responsible for our destiny. We wanted to be responsible and be able to set the terms for how government services are going to be delivered. That doesn't mean that doesn't happen with input. That doesn't happen without some consternation over what it costs, but hopefully politics don't enter

into it and everyone can agree that it's important to solve as many crimes as you can. It's important to get to a house as fast as you can. It's important that the guy that gets there knows what he's going to do. And if he's carrying a gurney for the rescue squad or he's defibrillating somebody or he's putting somebody in cuffs because they're an idiot, that's what we pay those people to do.

And what this proposal does under the guise of saving is it guts our department by 40 percent, and it says these other Sheriff's and deputies they'll fill up the gaps. They'll pick up the slack for you. Respectively, they don't pick up the gaps for themselves. If Chief Wagner delivered the results that they deliver he would have been in hot water with me and he would have been in hot water with this Board because those results aren't acceptable. What is acceptable, what this Board has funded for years is what he's delivering.

I don't know how you get past the spin and I don't know how you convince the *Kenosha News* to understand that this is a shell. It's not a savings for anybody but that's where it is. That's what we're going at.

In summary, the Sheriff's proposal only provides \$537,617 in actual dollars in the first year while reducing dedicated police coverage by 43 percent. The Sheriff's proposal does nothing to address tax equity issues. That's a pure smokescreen. In fact, it reduces the Village of Pleasant Prairie's access to police services while allowing Kenosha County to maintain police services to towns and small villages in Kenosha County at no cost to them.

The Sheriff's proposal does not permit the Village of Pleasant Prairie to take advantage of impact fees to pay for future police facility expansions. Instead the Village taxpayers will pay actual property tax dollars for the Sheriff to expand their Kenosha County facilities when they deem necessary.

The Sheriff's proposal relies on being able to use existing deputies to supplement a smaller deputy force in the Village. The existing deputies have not performed at the same levels as the Pleasant Prairie Police Department. Their under-achieving results have not included the workload that a new contract with Pleasant Prairie would require.

The total crime clearance rate for Kenosha County is only 35 percent without the Pleasant Prairie workload, while the Village Police Department clears 59 percent of the crimes in the Village of Pleasant Prairie. The arrest rate per officer for Kenosha County lags at 19.97 without the Village workload the Sheriff's proposal would bring to the existing deputies. The Village's residents would see a significant reduction in the number of arrests for crimes committed in the Village.

The Kenosha County Sheriff does not maintain a credible records system to record meaningful response times, but for significant events such as personal injury accidents and domestic disputes, their response times are 6 minutes 2 seconds and 10 minutes 45 seconds respectively. That, again, is without the Pleasant Prairie workload that they would be assuming.

My recommendation is the Village Board of Trustees reject the proposal from the Kenosha County Sheriff. The proposed reductions in the proposal for the citizens of Pleasant Prairie represent an unwarranted risk to the Village and a reduction in the quantity and quality of the police service of the Village, and I believe if adopted is really a breach of the core responsibilities that the Village has for public safety in this community. If you have any questions or if you'd like to open it up I'd like to

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take those.

John Steinbrink:

Comments or questions from the Board?

Alex Tiahnybok:

Could you open it up to citizen comments? I think this would be a good—

John Steinbrink:

I thought we were going to go with Board question or comments first.

Mike Serpe:

Mike, I have to commend you for a very thorough report. When you hear the statistics that are given about clearance rates and arrests and everything else, those are marks that judge a department by its successes. What we as a Board have to hear from Village residents quite often they come to us and say we have speeders in our neighborhood, we have people blowing stop signs, and this is constant. And this is with a 27 man department that we're getting these complaints. Reduce that to 15 and there is no way on God's earth that 15 cops are going to answer calls for service by the residents in their neighborhood. Normally people don't really care about the police or the fire department until they need them, then they care drastically.

So you have to be realistic. The realization is this Village will not function properly with 15 deputies. I also did not see anything in the report who supervises the 15 deputies for the three squads that are in the Village? Where does that supervisor come from? Important. I didn't see that. Follow up investigation, we have three detectives presently working on the police department. Who does the further follow up investigation when warranted? A burglary at somebody's house, an armed robbery, a rape, a mugging, whatever. Where does that follow up investigation come? If it's going to come from the Sheriff's Department, and they have very competent people doing follow up investigation, I have no doubt in that. but the fact of the matter is if they're swamped then it's putting on the order of assignment type of thing how the case gets assigned. Many cases will not be assigned. That's not going to do the residents any good.

I don't want to criticize the Kenosha Sheriff. They have a job to do. I've worked along side of them for 28 years. I think they do a good job, but I have to support the Pleasant Prairie Police Department because they are doing an outstanding job. Mike, again, good job on your research.

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John Steinbrink:

Questions for Mike on his presentation?

Jeff Lauer:

I just have one question. I know when the Sheriff was here on September 6th it was agreed upon by the Board that he was supposed to be contacted to go over data and information. Was that ever done? Did he partake in any of this?

John Steinbrink:

Is that a question for Mike?

Jeff Lauer:

Yeah, for anybody.

John Steinbrink:

We'll address that to Mike.

Mike Pollocoff:

The Sheriff was given as much opportunity to review the data as we had of his. And I might add that there's really no data in here that isn't available to him. They're State reports. The response times are off his CAD system. It's not data that is manufactured. It's just comparative data that's represented.

John Steinbrink:

Any other questions for Mike before I open it up for citizens' comments?

Steve Kumorkiewicz:

I'm looking here at five letters that we received from residents opposing going to the Sheriff's Department when the people are praising our police departments . . . but, Mike, you did an excellent job in the presentation, much better than what the Sheriff gave to us, so thank you. I think it is very clear for everybody how the Village Board, at least on my part, feel about this issue. Thank you for the time you spent. I went by here at eight o'clock last night and you were working in your office preparing this report for the benefit of the community, and that's what we're doing here. We watch for the community. We are proud of our community. And, yes . . . but this is one issue I don't want to change.

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John Steinbrink:

Questions to Mike pertinent to the presentation? No further questions?

Mike Serpe:

One other comment, John. One thing that you don't want to see on a police department is for them to be tied up at all times on calls or traffic stops or anything. We're pushing that right now with the department that we presently have. They are tied up a lot. You never want to get that phone call where somebody is in dire need of help and you have nobody to send. That's the worst thing that can happen. We're getting close to that with the amount of people we have in Pleasant Prairie and the department at its present size. Reducing that is not going to make that outcome any better.

John Steinbrink:

Point well taken.

Alex Tiahnybok:

Just to sponge off of what Mike just indicated, I did a little math. I didn't have my calculator with me so I had to do it on my phone so I wasn't making phone calls. But the hours covered, and this is very consistent with what Mike was saying, if 55,120 hours on the street were accounted for last year, I think that was 2004 numbers, divided by 365 days gives you approximately 151 hours per day, divided by 24 hours, unless we can get more than 24 hours out of the day, that means that the utilization of the cars has to be 6.3 cars on the street 24 hours a day. That's from my perspective totally inconsistent with my previous understanding which was four cars on the road at any given time. Where does that discrepancy come from? When you do the math there's no way there can be four cars at 55,000 hours.

Chief Wagner:

Is that a question to me?

Alex Tiahnybok:

Anyone.

Chief Wagner:

Let me just respond to that. The 55,000 figure that you see there that's raw time. That's what the Village is paying for. There is benefit time that has to be subtracted from that. In fact, I can tell you that in 2006 if you look at the actual man hours, this is after benefits and projected sick leave and injury time and things of that nature, we're looking at approximately 46,830 actual hours. But for comparison purposes we use the 55,000 figure simply because we're presuming that it would be the same on the other side.

John Steinbrink:

If there's no further questions from the Board, I'll open it up as I promised to the citizens to respond to the report after the information was presented.

Thomas Sullivan:

Thomas Sullivan, 7800 47th Avenue. I'm here to say I'm totally opposed to any change within the Village of relinquishing any control that we have in any department. I mean a lot of people, mostly you up there, and a lot of people before you spent a lot of time in the past to get control of all our facilities. We have our own garbage department. We have our own street department and highway department. We have our own park and recreation department. We control everybody.

As far as the police and fire department we control them, too. You relinquish that power to somebody else and we have no control of what he does. He can do what he wants. He can say what he wants also, but we can't go and tell him what to do. We can't dispatch any of his people. He can send a Sheriff's Department car into the Village today and take that man and send him to Paddock Lake tomorrow and replace him with somebody else. We have police in our Village that know every dead end road, they know every hot spot and every troubled area. They know how to get from A to B the fastest way within the Village. If you start juggling around a bunch of Sheriff's Department people that don't know the Village and are here today and maybe replaced with another one tomorrow, what's your response time?

I want protection where I live. I've lived in Pleasant Prairie for 50 years, and I go to sleep at night very comfortably knowing that I have that protection. And I don't want to change it. I don't want to reduce our workforce within the police department, and I don't want to have any changes that give our control away in any of our departments to anybody other than you people up there. That's all I have to say.

John Steinbrink:

Thank you.

Don Hackbarth:

I'll tell you, this is a long meeting. I wish I would have commented earlier. In this community I really don't understand this. We talk about saving taxes. Bringing up this issue how many tax dollars did we spend studying this issue? You did your work, Mike. I know you always do your work thoroughly, but to bring this issue up it cost us taxpayers a lot of money just because this issue was brought up which I don't understand. I think it's a waste of taxpayer dollars. So if we say saving taxes we should mean it and we shouldn't bring issue like this up.

There's another person and I know him intimately, you didn't bring him up and he's the Chaplain of the fire and police department. I don't know if the Sheriff's Department has a Chaplain. I don't know, and I don't think they do anymore. I've been a Chaplain in this community for many years. It's something when on father's day you get called out and you deal with a family that's coming up because there was a suicide dead and their family and you spend the time with officers and you work with the family and everything. That's something that I think is important. I think that's another

asset that this department has, and I really rejoice and I'm happy to be able to do that service for the department as well. That's another thing you can put up on your board.

My doctor is in family therapy, and Nan Haggerty hit it right on the head, the Chief in Milwaukee. She said that crime is not the problem in Milwaukee. It's not the problem in any community. Anger is. Anger is the first thing or link that causes a person to commit a crime. And unless we deal with that we're in trouble. We're really in a lot of trouble. And I said this before at another Board meeting, I said I pray for you guys every night, and my prayers that this Board becomes a cohesive body rather than splitting each other apart, to work together, because you're serving us. You're not serving yourself. You are servants of us, and the better job that you do in service to us means you will work together amongst yourselves to get the job done.

I got a recommendation also for the Chief. I don't know if we have a radio or satellite phone system directly linked with satellite?

Chief Wagner:

We don't.

Don Hackbarth:

I was down in the Gulf Coast and all the cities that had problems were the fire and police departments did not have satellite linked to phone. Because what happened is their systems got wiped out. Dispatch was gone. Cell towers were gone. Land lines were gone. And the communities that had the cell stuff were able to dispatch and do their work, so I'd recommend that that's something else that you maybe would want to consider as well, too.

I guess to lighten this up a little bit I've been here for 28 years, and I remember in 1988 on the 4th of July my kids were out there shooting off fireworks. There was a police officer that pulled up and you've got to get this picture. My kid is sitting on the ground lighting off a firework just as the police department comes up. He stands up just to look at the police officer getting out of his car. He didn't even see he was there and boom. And that police officer walked up to me and he said, you know, Pastor Hackbarth, you're part of the problem, not the solution. And what he did is he wrote me out a warning. I still have that warning. I saved it since 1988. And to make light of this, this guy was I believe Officer #104, B. Wagner, 1988, July 4th. I've gotten speeding tickets in the Village, and I really think what happened is he got so sick and tired of me getting into trouble he made me the Chaplain and now I've got to keep my nose clean.

Chief Wagner:

It's easier to keep an eye on you that way, Don.

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Don Hackbarth:

I know that. Just in closing I really think this department is great. I know the people intimately. From time to time they come into my office and we talk about difficult, difficult, difficult things that they've seen, and I've got an arrangement with both the Chiefs that whatever goes on in my office I will never tell them because I want those people to be free to come in and talk to me and unburden themselves and they've respected that. They've never, ever asked me anything. So I don't want to lose my job.

John Steinbrink:

Thank you, Don. Maybe, Don, we can check, seeing we're getting those Impalas next time, we can get OnStar with them and we'll have that satellite communication. And if we don't get that maybe you can connect us with somebody up above.

Mark Andrea:

My name is Mark Andrea, 8944 26th Avenue. I, too, want to applaud Mr. Pollocoff and his elegant way of presenting the information in a digestible manner. Something down to basics, not propaganda, not numbers that can be slanted one way or another. I think the Chief could probably use a little PowerPoint assistance from you in conveying that same thing, something to understand.

I also think that the Village voters or taxpayers will ultimately be impacted by this decision. Allow them the benefit of the doubt. Give them the information. Find out what they want. If they'll be impacted by it they should have a decision in the matter whether it's through a vote referendum or something a little more beyond this quaint meeting, because I don't think everybody is represented here. At least allow them a chance to weigh in, some sort of a venue, whether it's a non binding referendum, just a warm, fuzzy, give us a yes or no or what do you think. But give us the information the way you presented it, and I think you'll be thoroughly surprised to find the people behind you and not opposed to you. Thanks.

Dick Ginkowski:

Dick Ginkowski, 7022 51st Avenue. I want to start out by saying it was very interesting this evening to listen to the presentations. I was very moved today actually by an editorial in the *Kenosha News* that said the Sheriff's proposal should be given full and fair consideration. I think it ought to be. I want to point out something that I'm certainly a person that I don't care who contributed whose campaign or who favored who in an election or who worked for someone else. I'm a resident in this Village and what I care about is what's important and what's in the best interest of the people of the Village, period. So let's forget about that.

I, for one, not only do I appreciate and the Board certainly knows my position, I put it in writing, concerning the Sheriff's proposal. I think our police department in the Village of Pleasant Prairie it cannot be disputed that the Pleasant Prairie Police Department is cost effective. It operates with minimum staffing. I'm appalled that the Chief would even suggest reducing right now a staffing level that is two-thirds of the State average. With the growth pattern in the Village it ought to be growing, not receding, and they're doing it at about 60 percent or less of the State average cost. Those are

good numbers.

Throwing statistics about and trying to quantify law enforcement in public safety is a dangerous venture. Calls for service tell you only one thing, that's how busy you are. But the measure of your effectiveness isn't the number of arrests you make as much as it is the crime you prevent. The founder of Scotland Yard, as I indicated, says the measure of police effectiveness is the absence of crime. You go on your street, you run radar for a few days, you issue a bunch of tickets, after that all of a sudden people aren't speeding. That's because you're doing your job. They know you're there and they're conforming their conduct. That's what good law enforcement is about.

We have a good Sheriff's Department, too, and I think tonight by hearing some of the statistics and comparisons and discussion they may not feel terribly welcome, but I'll tell you something, I work with these people very day, and I have the greatest respect. I don't always agree with them and I'm publicly opposing Dave Beth on this proposal. But, you know what, they'd take a bullet for me and I will go to bat for them in the exercise of my duties, because I think we have good people in the Village and in the County. And I think we ought to thank the Sheriff as well, because the one thing that he's done, even though this is a flawed proposal, is he's given you the opportunity to review and say this department is cost effective, it does a good job, it should be maintained, because we're getting the best bang for the buck and the best service for the people. Even by making that comparison the Sheriff is owed our thanks and our respect.

Now, there's one thing that the editorial in the *Kenosha News* prompted me today to think about, and that is the real problem with this proposal and in analyzing it. It's not apples for apples. Forget about the accountability aspect. I'll tell you what. How much would it cost to have 27 dedicated Sheriff's Department employees, including supervisors, operating out of 8600 Green Bay Road serving the people to Pleasant Prairie, dedicated, performing those services, apples to apples on the same basis that Chief Wagner and the men and women of his department do that job? Compare those statistics. Come in with those figures. If those figures are significantly less, then, like the *Kenosha News* says, does it make a difference to you whether somebody wears a blue uniform or a brown uniform? Well, to me it does, I think there are other issues. But if you want to compare costs and savings, compare apples to apples. The basic problem with this proposal, apart from accountability, apart from accessibility, apart from efficiency is it's not an apples for apples proposal. Because this department is very efficient. It's understaffed. It's understaffed right now and it's operating cheaply.

Now, the Sheriff's Department is a good department, too, and they provide some very valuable services and the need for those services is going to grow. The population of rural Kenosha County is growing, and there's going to be a demand for those services. And the Sheriff does have a responsibility and a role in Pleasant Prairie and in other communities as well, and that is to provide metropolitan support services in areas where that's necessary. And those responsibilities should be encouraged and cooperated with. We have a great police department. They're doing a great job. I presented my thoughts and analysis in writing.

But I also want to say, too, that despite the tenor of what's been said here tonight I appreciate what the Sheriff has done because he's given us an opportunity to think about are we doing things the right way? Could we do things better? Are we getting the best service? I think that was a very valuable service that the Sheriff provided, and I thank him for doing that, even though I disagree with his proposal. Because I do think that it caused us to evaluate whether or not we're getting the best

services. And, you know what, self-evaluation is a great thing. We should all do it once in a while, and I think a very valuable public service was performed here. I think the service of the men and women of the Pleasant Prairie Police Department has been exemplary. I encourage the Board to deep six the Chief's proposal to cut his own staff. I think at this period in time with the growth in the Village and the demands I think we ought to be looking at a gradual adding to that staff as the circumstances permit. Thank you.

Theresa Lucas:

My name is Theresa Lucas, 9607 82nd Place . . . before I decided to move here I did my own analysis of what area I wanted to move into, Kenosha or Pleasant Prairie. And I can tell you as a concerned parent there are many other issues I looked at when I moved here. I called the Pleasant Prairie Department and the Kenosha Department, and I am to this day every time I've had a request I have gotten immediate attention, information, resources, whatever I needed. I feel we do get an added personal touch with our Pleasant Prairie department. I had e-mailed Chief Wagner before I moved here. I was concerned about a sex offender registry and can I find out where these people live. All kinds of information. He replied efficiently, immediately, and I can't say enough about the police officers, very professional and courteous.

Mike, I have to commend you. I think what the main problem is that people read these articles in the papers and they don't have the informed accurate information. A lot of it is biased information with journalists. I think more people need to be informed and maybe us as citizens take extra attention and time out of our lives to actually do the research ourselves. I'm sure a lot of the information you received is available to the public, the Internet, State government websites that provide us with that. And I think us as citizens probably need to take an added incentive here to get better information about how we're going to make these decisions. The information you have portrayed tonight has been spectacular.

I think another issue that needs to be brought up is that with us going to County that will affect our homeowner's policy. I don't think people are aware that your homeowner's insurance will increase do to the ratio of police officer per capita of household unit. That's another thing to think about.

But in the end I think maybe we all don't think alike, but a few dollars here and a few dollars there I don't think it's worth to cut and go down because of a few dollars to save. I think the services that the police department provides far outweighs the cost. Just like we wouldn't want to cut dollars to provide a lesser education for our children. I don't think we should do it for our safety and for the community and the services that they provide. I think this has been a great presentation, and I hope that everyone here tonight can spread that word what we've received and put that out there, and hopefully more citizens will come forward and be more involved and research and help you guys along in making your decision. But I for one stand for the Pleasant Prairie Police Department. Thank you.

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John Steinbrink:

Anyone else wishing to speak that didn't sign up earlier? Sheriff, you're welcome to speak also.

Sheriff Beth:

Mr. Steinbrink and the rest of the Village Board, as always it's always been your choice what you can do. This is an option that was presented. And I think the work that you did, Mr. Pollocoff, is very interesting. Would you mind, since Mr. Serpe a few weeks ago offered the opportunity—

--;

Could the gentleman speaking introduce himself, please?

Sheriff Beth:

I'm sorry. I'm David Beth.

John Steinbrink:

That's better for the record.

Sheriff Beth:

Thank you. I apologize for that. Mr. Serpe offered the opportunity for a discussion on what this was. I guess this is my only chance for that discussion and that's fine. Mr. Pollocoff, would you mind going back through your presentation so I can address it since this is my only opportunity to address your presentation, unlike what I was promised three weeks ago?

John Steinbrink:

We've already made the presentation. If there's a portion you wish to address in it do so.

Sheriff Beth:

Pretty much every—

John Steinbrink:

We did this off the presentation you presented to us in our research of the department, the budgets, and whatever facts were available to us. So if there's an item you wish to bring forward, now is the time to bring it forward.

Sheriff Beth:

Is it possible--I would make my presentation much shorter than what Mr. Pollocoff did. But on each and every page you presented there were major flaws in your presentation, and I am very willing to address those. If the Board would like to shut me off then so be it. That is your choice. But the honest information was never presented here tonight. You talk about three squads. I said four. In the presentation that Chief Wagner gave he has three districts. I'm presenting four. He included detective services in his 55,000 hours. I didn't include that. I didn't include half the stuff that you're taking in your 55,000 hours and you put mine to 33 which I don't have a calculator here and I guess I should bring one of those. But most of the presentation that you gave about the Sheriff's Department is completely wrong. Most of the information that you gave, you brought up a statement that I said I deal in truths. You're right. The presentation I gave was based on truth. I'm not sure what yours was based on tonight truthfully.

Again, if at any point you want to shut me down and you don't want the honest facts, please do. What I was afforded three weeks ago obviously isn't going to take place in the forum I was offered. It's resorted to me doing citizens' comments. The hours that you presented, the deputies that would be patrolling Pleasant Prairie would be increased, not decreased. You have three districts. I'm presenting four at a cost savings the very first year of \$1.2 million. I didn't include detective services as hours. If you want me to do that I'd be happy to, but that isn't what you included.

You talked about calls for service, officer initiated. It's amazing how we had 31,000 calls for service, and the page after that included 37,000 calls in one category. And you said, I don't remember what you said what that includes, but that includes one of our sergeants the other night who ran down a guy because he initiated it who had I don't know how many warrants out of Dane County for attempted I think it was armed robbery of banks. That wasn't included. The officer initiated. But when you did that you did the calls for service that were called in, but you didn't take into consideration what our officers do on their own.

But you did include the 33 percent of officer initiated calls that Brian Wagner did, but you compared this as apples to apples. Obviously, without having the affordability to go through this presentation, I thought I'd be given that, it's more difficult. But the presentation you did tonight was extremely interesting, Mr. Pollocoff, and the way that you changed numbers is completely wrong. And if you ever get to the point that you want me to address every single issue that you have with truth and facts that are in here, I'd be happy to address that.

The true savings, I can think of one point off the top of my head, you talked about squads that would no longer be of service and equipment, we'd have to junk them or sell them at auction and you included that as a loss. No. You include that as a plus. If I'm saving you \$1.2 million and you sell all your equipment for \$100,000, now your savings went to \$1.3 million. I'm not exactly sure where you come up with your math, but this is completely backwards and completely wrong, and most of it was completely fabricated.

So at any point if this Board would like to deal with truths and facts, I am certainly ready. But without the opportunity to address what you presented, Mr. Pollocoff, I'm just winging it right here. I'd be happy to take each and every point that you made and literally tear it to shreds. And if that's

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what you were depending as your incredible presentation, it's pretty sad.

John Steinbrink:

Sheriff, at this point are you saying you wish to change your proposal from what you presented to the Board?

Sheriff Beth:

No, sir. I'm saying I want to go back and deal with the information that Mr. Pollocoff has because it's not factual.

John Steinbrink:

Okay. Do you care to respond, Mike?

Mike Pollocoff:

I guess was information that prepared by the State on clearances not factual?

Sheriff Beth:

I didn't bring that up. No, no, I'm going to assume that it was.

Mike Pollocoff:

I asked you a question.

Sheriff Beth:

I'm going to assume that was.

Mike Pollocoff:

You're going to assume it was?

Sheriff Beth:

I didn't go through the book. I didn't open and compare it. I'm just assuming right now that it is.

Mike Pollocoff:

The assumption is that if we cited where we received that information, the source was from the State on crime clearances—

Sheriff Beth:

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And probably half of it was from me.

Mike Pollocoff:

No. What we received from you we cited. We received your call information off your CAD system for response times. For clearance rates we went to the State report that you rely on and I rely. It's the only one that exists. The most current report is 2003. Was that information fabricated? Do you know what your clearance rates are?

Sheriff Beth:

No, sir, I don't have them memorized, but if you want me to go to my book I'd be happy to. If you would like to go through all of your presentation, Mr. Pollocoff, I'd be glad to address it. I see you're having a hard time dealing with the numbers.

Mike Pollocoff:

I'm not having a hard time dealing with the numbers. I'm having a hard time understanding why as Sheriff of the County, and I didn't create the clearance numbers, I didn't create your response times, those are your times off your system or off the State reports. The essence of what I was saying was that if the Village department is cannibalized down to 15 people from where it is now, that your representation in your proposal was that if those 15 people needed additional help or assistance that the remaining 56 deputies that you have wherever they're going to be are the deputies that are going to respond, it's only fair that if we're going to rely on those deputies to be the ones who are going to provide us the service to look at their level of production. I didn't go in and see what they were doing. We didn't see what they were driving. We didn't see what they're wearing. I went solely to the State reports on crime clearance rates. I went solely to your Computer Aided Dispatch to see what the response times were. That's not data that came from anyplace else, and if you think those numbers are wrong I urge you to discuss them with the Justice Research Center. I'd look at our own CAD system. That's where it came from. The numbers for our response time came from our system. We can give you the sheets for every single call and you can add them up and look at the numbers.

With respect to the fourth car, you say four cars, but that was a fourth district that, by your own contract, was not part of the contract.

Sheriff Beth:

Yes, it was. It wasn't being paid for by the Village.

John Steinbrink:

Okay, I'm going to end the dispute here. Sheriff, if you have a discrepancy with our numbers I guess you need to--we'll supply you with the sources and you may have to correct your sources with the Department of Justice or whoever it is that has your numbers if those are in error with anything or your own system. Is there any other questions for the Sheriff?

Mike Serpe:

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Does the Sheriff have a copy of this? Could he get a copy of this?

Mike Pollocoff:

Sure.

Sheriff Beth:

Could you tell me what that is?

Mike Serpe:

Mike's report.

Sheriff Beth:

Oh, okay.

John Steinbrink:

The presentation, the report. All the numbers are there. I think even the sources are highlighted in areas.

Sheriff Beth:

Okay. But just basically to sum up, Mr. Pollocoff, I guess you can twist it however you want, and the numbers obviously you don't have a clear working of how the Sheriff's Department works. You said there were 90 sworn officers. Actually there's 107. Are you aware that two-thirds of our department actually deals with the jail, and several of those do court conveyance, and that 90 that you divided that wasn't the number that was given in here. I don't know where 90 came from, but that was a number you pulled out from somewhere to come up that we had less arrests and some of those other numbers that were altered.

Again, if this Board doesn't want to do it, that's fine. I just want to make it very clear that we are actually providing one extra district in the Village of Pleasant Prairie. We have all the services that I saw presented up there. We have school resources. We have Deputy Friendly. The Kids and Cops we did do that but we found that we really didn't have a lot of kids in the districts we had that we would give a book to. We certainly enjoy Mr. Hackbarth's son who is a Deputy Sheriff on our

department. He's a very good deputy. And the numbers that would truly be saved with more services, more districts, is about \$1.2. If you eliminate dispatch it's still \$1.2. If you consider dispatch in the savings, that would have to be worked out with Joint Services. All that would be a clear savings.

Some of the numbers you added to a loss for the Village truly are pluses for savings. Again, when I get the opportunity to see, as Mr. Serpe pointed out, that presentation, I'd be very happy to point errors that were made. At the end of this night or whenever you have a chance to vote on this, you can choose whatever you want. But if you really don't want to save the million plus a year that's up to this Board. And there truly is a million plus each year in savings. The services you'd have four dedicated squads rather than three. I didn't include the supervisors that go on the road. I didn't include myself that responded or took an accident in the City of Kenosha this morning. All the same things that your Village Police Department does which is very good. They're very good. They have a good clearance rate. I'm not badmouthing them at all. I would just like to deal with apples to apples and that isn't what was presented tonight.

John Steinbrink:

We will see that you are presented with a copy of this. We hope you review it. We hope you research the numbers and maybe make corrections to your numbers if needed. And then you will have a closer apples to apples comparison. Any other questions for the Sheriff?

Mike Serpe:

John, having said that, are you asking that we just maybe delay a vote on this, or would you rather have Dave respond at a later date? How would you want to do this? Number one, Sheriff, no offense, but you kind of pointed that Mike was fabricating some figures here, and working with Mike Pollocoff for over 20 years he's a very above board and honest Administrator that I would never question his integrity or his honesty. So that being said, I'll open it up for comments from anybody else.

John Steinbrink:

We've played this game before, Mike, where we've waited. I don't think anybody benefits from it when the wait is over. The sooner we do this the better for both departments. Because right now it's not helping either department with what's going on, Sheriff. I think it's time to bring this to an end. The facts were presented. They are the facts. You may dispute those facts. So be it. As I said, you will get a copy of this report. Review it against your CAD or with the Department of Justice numbers, any other numbers you wish to use. But the Village, the taxpayers deserve an answer now. We've gone through the process. We did our due diligence. This wasn't a helter-skelter research project. This wasn't stacked against one or the other. These were comparisons. You may dispute that. You may smirk, I don't know what the problem is, but this is serious to us, and it should be serious to you.

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Sheriff Beth:

It's very serious, Mr. Steinbrink.

John Steinbrink:

I hope so, because people in this community rely on protective services. Both departments need to get on with business. We are all professional departments. These departments need to work together. You have very commendable officers. We have very commendable officers. We've seen here today that many times services are taken for granted, probably yours and ours both. I think we brought a lot of stuff to light here today. I think it's time to put this issue to bed. If you wish to make another proposal we will entertain that, but at this point we have reviewed the numbers. We have, as I said, done our due diligence and we thank you for bringing that forward. So thank you.

Sheriff Beth:

Thank you.

Alex Tiahnybok:

This yellow piece of paper is what was in our agenda packet on Friday. It's clear that Mr. Steinbrink and Mr. Pollocoff and perhaps others had plenty of chance to look this over. But I think what was presented tonight was very detailed, and I commend Mr. Pollocoff for taking the time and digging into the issue as far as he did. But from my perspective the net result of what we heard tonight is that there's more questions than ever on the table now. I absolutely disagree with the President's recommendation that we move forward on this immediately.

From my perspective, the citizens aren't affected in any way as long as this is being discussed in an open fashion and the net result is an understanding from all parties as to what the true issues and facts are. I've been taking notes throughout everything that I've heard tonight, and I probably have at least 100 things that I'd like to touch on before being able to make what I think would be an informed decision. So regarding moving forward on this I'm absolutely against that, and I would recommend that we create a very small task force with a representative of the police department, a representative with the Sheriff's department, one or two members of the Board which would be the limit before we'd be violating Board meeting laws. I think all the interested parties, and Mr. Pollocoff, of course, should be part of that, all the interested parties should spend a Saturday, and I'm prepared to volunteer to do this.

During the course of the last several weeks I've, frankly, seen the merits of both sides. I spent a lot of time gathering information consistent with everything I've said up until now. I don't have five letters but I have probably 50 letters, records of at least 50 phone conversations, and I think part of sitting on this Board is being a representative and not just guessing what people are talking about.

The comment that Mark Andrea made about putting it towards a referendum may be in this case going over the top, but I absolutely welcome citizens' comments. I was elected to look at the numbers primarily by eastern Pleasant Prairie, but I'm a Trustee of all of Pleasant Prairie including everyone that's in this Village government and including the police department itself. Regardless of

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what my personal or political bias is, my goal is to make this an absolutely sound decision, and right now there's too many conflicting bits of information. So I don't see how we can make a sound decision at this point. So my recommendation is that we create a task force and settle this in one day, and that task force should leave with a clear understanding of what the issues are. The apples to apples arguments I've been talking about that all along. Frankly, I think this is the most important thing that we've dealt with since I've been on the Board.

I'm not taking this lightly. I haven't lost sleep over anything yet including Mike Pollocoff's contract. So I think this is the biggest issue we're dealing with. I'm not taking it lightly. And if I'm forced to make a decision today I'm going to vote for the Sheriff's proposal. I just want to go on the record as stating that point. So if you'd like to have a unanimous vote from this Board on this issue, I say we talk about it some more.

John Steinbrink:

Jane, is this about the second or third meeting we've held on this issue, and was it noticed in the news, and has the news carried articles on it? And it was the subject of an editorial today, and the public has received due notice on these meetings?

Jane Romanowski:

Yes, Mr. President.

John Steinbrink:

Thank you.

Steve Kumorkiewicz:

I'd like to make a comment. Alex, don't forget that you are the one who started this when you didn't trust our police department and called the Sheriff to come and patrol radar your street. You are a citizen but you are . . . to speak. So here we are. That's what it says to me because you caused it. That means in my eyes you didn't trust our own Police Chief. I don't care how you look at that. When you called the Sheriff you didn't trust our Police Chief who I've known for many, many years. Furthermore, the comment from the Sheriff, another Sheriff for a short time . . .

John Steinbrink:

I'm going to ask that we keep it to the topic and not personalities, Steve.

Steve Kumorkiewicz:

Yes. I'm going to say if I've got to choose the figures from Mr. Pollocoff and the figures from the Sheriff which he was not too sure about, I'd take the figures from Mr. Pollocoff . . . I trust his sense of duty to the Village more than I trust yours. Thank you.

Jeff Lauer:

Alex mentioned this earlier about this yellow sheet of paper that gets dropped in our lap. Tonight we're supposed to review it, not do our own homework on it, trust everything that's being said, dot the i's and cross the t's and vote on it. I like what Mr. Hackbarth said earlier, and I don't want to misquote you, to work together and things. To a degree I totally agree with that, but that does not mean we all vote yes or all vote no all the time. So this Board made a commitment to the Sheriff and he was here September 6th. It has been broken. He was supposed to be contacted to go over reviewing things and that and he wasn't. That's frustrating to me.

I got elected based on trust, period. I didn't get elected on anything else. Trust, because trust has been lost over the years. I don't think it's right no matter what we're contracting out, if it ever happened or didn't happen, that we say no or yes definitely. We've got to look at all the numbers and get the facts. I'm sure we can hire an outside auditor to meet with the Village and with the Sheriff's Department and get different numbers. And I think it's always got to be careful that if we make a commitment that we're going to meet with certain individuals or contractors or whoever that we follow through with it. I have not been able to do my homework on this. I take it for what it is, and to do the citizens' work properly, I had to make sure to do the homework as well. This was given to us tonight. We did not have a chance to review it over the weekend at all.

At this time to make it fair on everybody I would just motion to table this at a future date and time.

John Steinbrink:

We've dealt with issues in the Village Administrator's contract. First we were chastised because we weren't going to wait for the Board members to participate. Then we were chastised because we threw it upon the Board members. Are there any other comments on this question?

Mike Serpe:

To say that this discussion is not affecting personnel I totally disagree with that. I think our police officers are very, very concerned as to what this Board is going to do and how we're going to address this issue. As far as me making a promise to discuss this with the Sheriff I'm not sure that's exactly what I said. We're looking for it now. I thought I said something that there's a lot of information here to discuss. I thought that was more--I could be wrong and we'll look.

We have to get on. I think the Sheriff made his proposal. The motion was by me that the Chief of Police and Mr. Pollocoff and his staff look over that proposal and come back with a recommendation and their findings. I am not going to dispute Mr. Pollocoff's numbers. I know where those figures came from. I used them for years myself. I think we owe it to 27 police officers in this Village to let them get on with their job to patrol these neighborhoods and patrol these streets of our Village the way they've been doing for the last 20 years. I'm not saying that the Sheriff is a bad organization or can't do it. I'm saying we have a department, and if you base the citizens' comments on the last number of meetings that have spoke on this issue, I believe there was one and maybe two that supported the Sheriff. The rest were overwhelmingly in favor of keeping our department just as it is. If that's a straw pull you can take and send it out throughout the entire Village, I'm sure that's exactly what you're going to get in return, an overwhelmingly response to keep this police department just the way it is. I move to reject the Sheriff's proposal.

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Steve Kumorkiewicz:

I second.

John Steinbrink:

We have a motion by Michael, second by Steve. Further discussion?

Jeff Lauer:

Yes. I made an earlier motion to table it for the reason I've already mentioned and that wasn't followed through. Mike started talking and I don't know if anybody seconded it.

Jane Romanowski:

Let's deal with the first motion then, John.

John Steinbrink:

We have a motion by Jeff for tabling. Is there a second?

Alex Tiahnybok:

I second that.

John Steinbrink:

Discussion? I'll call the question. Those in favor of tabling vote aye.

Jeff Lauer:

Aye.

Alex Tiahnybok:

Aye.

John Steinbrink:

Opposed? No.

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Steve Kumorkiewicz:

No.

Mike Serpe:

No.

John Steinbrink:

Motion fails 3 to 2.

Mike Serpe:

Mr. Chairman, again I make the motion to reject the Sheriff's contract.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion and a second has been made for rejection of the Sheriff's contract.

Mike Pollocoff:

Is there a second on the question?

John Steinbrink:

A second by Steve.

Mike Pollocoff:

If I may on the question, Mr. President. I anticipated as we were putting this together, and to be honest with you some of the numbers the Sheriff indicated as far as the number of deputies he has, there's some variables in there that given the nature of their budget, which we had a difficult time procuring, I knew it would subject it to some variances and some nuances. I fully expected him to dispute those.

While the Sheriff was up here grinning at us about this, I think as you consider this issue and as Trustee Tiahnybok had indicated, he felt he didn't have time to evaluate that, but I think it boils down to some key policy issues. The one is that do you reduce the Village Police Department and the number of people that are here to three, even if it's four, four isn't substantive of squads with

what we have, and the fourth squad is still a squad that can be used in other communities, and rely on the existing Sheriff's Department to provide the service? In my mind even if you don't have numbers on there it doesn't justify the risk to the residents.

The other issue is, and I know there's no refuting this, that a need for a future police facility is not a burden on the taxpayers. It's an impact fee. Jeff, I know that you disagree with that because it harms developers, but that's where the cost goes. That doesn't change whether the Sheriff looks at the numbers five times or 100 times, the source of funds is the same. Either it comes from impact fees or it comes from taxpayers.

The tax equity study, that argument, if the Sheriff, again, smiling up here tells us he's saving us a million dollars and we're going to take care of tax equity, you're not going to take care of tax equity. That's only going to be taken care of through a constitutional or statutory change in that the Village, not matter what they cut out of this department, whether it's \$50 or \$1 million, you're going to continue to pay the County for providing services to towns at no cost, and you will have reduced your service levels. That's the only way you get the savings is by reducing your service levels. It doesn't happen by mystery. The savings comes because you reduce your service. That's where it comes from.

I agree, and the Sheriff thought it was funny that the employees were under stress, and I disagree for the very same reason we rely on these people to do the job every day. I know there's comments on the street and I don't think that serves anybody. And I think that the Village needs to get on with doing business. If we had a department that wasn't performing that would be one issue, but that's not the case. We have a department that is performing seemingly well. I sleep well at night and I think everybody should sleep well at night knowing that they're doing the job.

We can play with numbers. We can have a summit, we can have a conference, whatever, and you can push those numbers wherever you want, but you're really coming down to some key policy decisions as to who do you want to provide the care and what control do you want to have over those people that are doing it. Do you let the Sheriff do it or do you want to do it?

John Steinbrink:

You have a comment, Jeff?

Jeff Lauer:

Yes, just a quick comment. I'm not against all impact fees at all. I'm just against the \$6.4 million pool impact fee for the record.

Steve Kumorkiewicz:

One last comment. We can fire the Police Chief. We cannot fire the Sheriff. He's a professional. You don't have to be a professional. That's a difference. I like to have a professional Police Chief. Thank you, Chief, and your department.

John Steinbrink:

The question is before us. Alex?

Alex Tiahnybok:

I think I've indicated previously that I like the Pleasant Prairie Police Department. The *Kenosha News* quoted me as saying I'd have a problem with Pleasant Prairie being served by patrol cars that don't have Pleasant Prairie on their side. So by no means am I on some kind of witch hunt to expose some weaknesses. As a matter of fact, throughout the course of looking at all this information I've been looking for ways to understand the difference, at least what was presented initially, to minimize it and hopefully make it negligible so we can go back to saying why try to fix something that's not broken.

Pastor Hackbarth made a comment and a recommendation that we should operate in a kinder and gentler way. I'm all for that. But what you see happening here tonight is the three new guys getting shut down--the two new guys getting shut down. That's what's happening. Our opinion and our desire to--we want to understand this better and the wheels are being taken off of the truck.

Audience:

It's a no brainer.

Audience:

That's not true. No.

Alex Tiahnybok:

I hope that it is a no brainer.

(Inaudible comments from the audience)

John Steinbrink:

Call for order please. Call for order. The Trustee has the right to be heard. Thank you.

Alex Tiahnybok:

One of the speakers tonight sent me a long letter and it was very compelling. But one of the comments made, and I'll quote, is, "There really is no way to really sort out the numbers without a lengthy and intensive study by a third party." I couldn't agree more. And this is a person who spoke on behalf of the Pleasant Prairie Police Department tonight and I'm looking for that. Again, I feel like that effort is being stifled. The taxpayers of Pleasant Prairie made their opinions known in

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April, and we're trying to follow up on the commitment to uncover every stone and look at it. I'd be totally satisfied having the Pleasant Prairie Police Department continue on. I have no problem with that whatsoever, but I need to know, and apparently that's not going to happen.

Mike Serpe:

Two things. The yellow sheet that Alex made reference to I got my information the same time you did tonight, Alex. I will say this. I live right behind the Village Hall. Mr. Pollocoff was here all weekend. I didn't come in to check on him. I don't look over his shoulder. I don't micromanage Mike. But I know what he was doing here. He was preparing this report.

John Steinbrink:

We have a motion and a second before us. There were third party involved here that Mr. Pollocoff received his information from, unbiased, accurate.

Mike Serpe:

That was going to be my comment.

John Steinbrink:

Motion and a second before us. Further discussion? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed?

Alex Tiahnybok:

Are we voting on exactly that, rejecting it?

John Steinbrink:

Rejection.

Alex Tiahnybok:

I oppose rejecting it.

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Jeff Lauer:

I abstain.

John Steinbrink:

I'm going to ask for a roll call vote. And we need a clarification for abstention.

Jane Romanowski:

Mr. Steinbrink?

John Steinbrink:

Aye.

Alex Tiahnybok:

On the basis of further analysis I reject.

Steve Kumorkiewicz:

Aye.

Jeff Lauer:

Abstain.

Mike Serpe:

Can we have a reason for abstention?

Jeff Lauer:

I can give you one but legally I don't have to according to the League of Municipalities. It's because the Sheriff was not given his due process to respond or be part of the meeting as was presented to him on September 6th by this Board.

Mike Serpe:

Aye.

SERPE MOVED TO REJECT THE KENOSHA COUNTY SHERIFF'S PROPOSAL FOR CONTRACTED POLICE SERVICES; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 3-2 WITH TIAHNYBOK DISSENTING AND LAUER ABSTAINING FROM VOTING.

John Steinbrink:

Motion carries, three ayes, one no and one questionable abstention. I want to thank everybody for coming this evening. It's been a long process and a long wait. We tried to provide the information needed. We thank you for your input. We thank you for taking the time to be here. This is an important part of our community, and hopefully this is one of the services that will be not taken for granted as lately it has been in the past. I think when we bring to light the performance of the department and the support from the Village I think it says a warm thank you to those that serve us, whether it be the police, the fire, or any other departments in the Village. They work for us, they work tirelessly, and they are a part of our community. Once, again, I want to thank you for coming.

Mike Serpe:

Can we take a five minute break, John?

John Steinbrink:

We'll take a five minute break before we move onto Item C.

(Break)

C. Receive Plan Commission Recommendation and Consider a Zoning Map Amendment (Ord.# 05-41) to correct the zoning map and rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District for the property located at the northwest corner of 110th Street and Lakeshore Drive.

Jean Werbie:

Mr. President, this is a request for a zoning map amendment, Ordinance #05-41, to correct the zoning map and to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District. The referenced property is located at the northwest corner of 110th Street and Lakeshore Drive. The property is identified as Tax Parcel Number 93-4-123-292-0490.

Specifically, the request we have this evening are from property owners Isadore and Carolyn Ryzak. The property is specifically identified as Lot 17 of Block 22 in the Carol Beach Estates Subdivision Unit #2. The petitioners, again, are requesting to rezone the wetlands that had been field delineated into the C-1, Lowland Resource Conservancy District. The wetlands that were identified were along the northern perimeter of the northern section of their referenced parcel. The nonwetland areas would remain in the R-5, Urban Single Family Residential District. The LUSA, or Limited Urban Service Overlay District would remain on the entire property.

The Village on July 13, 2005 received a letter from SEWRPC dated July 11, 2005, which stated that SEWRPC had revisited this particular property and did verify that the wetlands were properly delineated. So the Village Plan Commission held the public hearing and recommended, along with the staff, approval of the wetland rezoning based on the delineations as verified. Staff recommends approval of Ordinance #05-41 as presented.

Steve Kumorkiewicz:

I make a motion to approve this. We were at the Plan Commission meeting. We know that place was revisited twice by SEWRPC due to the fact that there was no vegetation the first time. Consequently the owner complied and the recommendation from the Plan Commission was accepted.

Alex Tiahnybok:

I second it.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE # 05-41) TO CORRECT THE ZONING MAP AND REZONE THE FIELD DELINEATED WETLANDS INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF 110TH STREET AND LAKESHORE DRIVE.; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

- D. Receive Plan Commission Recommendation and Consider a Zoning Map Amendment (Ord.# 05-42) at the request of Lance Skala of CenterPoint WisPark Land Company LLC, property owner, to rezone a 0.22 acre wetland area (wetland area to be filled with corresponding wetland mitigation) from the C-1 Lowland Resource Conservancy District to the M-2, Heavy Manufacturing District.**

Jean Werbie:

Mr. President, this is a request for a zoning map amendment, Ordinance #05-42. It's the request of Lance Skala of CenterPoint WisPark Land Company LLC, the property owner. He's requesting to rezone a .22 acre wetland that's proposed to be rezoned on property located south of 11400 88th Avenue. It is in the vicinity of the LakeView Spec X building site which is currently under construction. The Tax Parcel Number is 92-4-122-294-0304. Again, this is on the west side of 88th Avenue.

The .22 acre wetland area is wetland area that's proposed to be filled. The petitioner has corresponding wetland mitigation that they would put into that C-1, Lowland Resource Conservancy District, so that this very small pocketed wetland that you can see is just to the west of 88th Avenue could be filled. They're requesting to rezone that small pocket wetland that's being filled into the M-2, Heavy Manufacturing District. As I indicated at the Plan Commission meeting, there was a pretty lengthy presentation with respect to the wetland mitigation project that was presented by the petitioner.

Basically Graef, Anhalt, Schloemer & Associates, who is the consultant on behalf of the petitioner, designed a compensatory wetland mitigation plan which followed the guidelines for wetland compensatory mitigation in Wisconsin by the Wisconsin DNR 2002. Accordingly to the DNR guidelines and the State of Wisconsin Administrative Code, the standard wetland compensation ration is 1.5 to 1, and that means 1.5 acres of compensation for each acre of wetland impacted. Therefore, the .22 acre wetland impact, which is the area to be filled, should be mitigated for its loss by creating or restoring a wetland area of .33 acres in size or greater, and that is precisely what they are presenting

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to do.

As you can see by the slide, they are proposing to rezone .22 acre wetland from C-1 to M-2; provide 2.82 acres of surrounding prairie buffer in restored woodland mitigation; restore .12 acres of existing wetlands and those will be the black areas as shown on the slide for mitigation; and enhance .98 acres of existing wetlands through mitigation.

This is a matter that was before the Village Plan Commission, and the Plan Commission and staff recommend approval of the rezoning request as presented.

John Steinbrink:

Jean, when they mitigate that, where are they moving that wetland to?

Jean Werbie:

Well, actually they're doing a couple of different things. They're enhancing wetlands, and then they're actually doing some additional restoration of wetlands.

John Steinbrink:

At an existing wetland already there?

Jean Werbie:

Correct. In fact, there's a great deal of floodplain and wetland along the perimeter of their property to the south/southwest, as well as the northwest corner of the property. So the intent is to enhance existing wetlands in the proximity of where the pocket wetland is being removed.

John Steinbrink:

Which would be better than having it up by the road.

Jean Werbie:

There's very little benefit to have that isolated stand of cattails up in the front. This project actually enhances and mitigates so it serves two functions.

John Steinbrink:

That's how you create road kill.

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Alex Tiahnybok:

Are we required to, at any time wetlands are disturbed, in equal amounts to be restored somewhere?
It's always in that zero balance or a plus?

Jean Werbie:

It should be 1.5 to 1. This is very new. It's 2002. Prior to 2002 there were no wetland mitigation projects, so this is a new step for the Wisconsin DNR.

Alex Tiahnybok:

On the basis of that and the Plan Commission I motion for approval.

Mike Serpe:

Second.

TIAHNYBOK MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE # 05-42) AT THE REQUEST OF LANCE SKALA OF CENTERPOINT WISPARK LAND COMPANY LLC, PROPERTY OWNER, TO REZONE A 0.22 ACRE WETLAND AREA (WETLAND AREA TO BE FILLED WITH CORRESPONDING WETLAND MITIGATION) FROM THE C-1 LOWLAND RESOURCE CONSERVANCY DISTRICT TO THE M-2, HEAVY MANUFACTURING DISTRICT; SECONDED BY SERPE; MOTION CARRIED 5-0.

- E. Receive Plan Commission Recommendation and Consider Ord. #05-43 for a Zoning Text Amendment to amend Section 420-120 B (2) of the Village Zoning Ordinance related to permitted uses and Section 420-120 D (2) (a) of the Village Zoning Ordinance related to conditional uses in the B-3, Regional Retail Business District principal uses to allow restaurants with outdoor seating in the B-3 District as a permitted use.**

Jean Werbie:

Mr. President, Ordinance #05-43 is a request for a zoning text amendment. It's a text amendment to Section 420-120 B (2). It impacts or affects the B-3, Regional Retail Business District principal uses to allow restaurants with outdoor seating in the B-3 District.

On July 25, 2005, the Plan Commission approved Resolution 05-10 to initiate the zoning text amendment to re-examine the uses in the B-3 District. The B-3 District is intended to provide for big box retail stores or regional retail shopping centers to serve the needs of the region as well as the entire community. The area of the B-3 District shall be a minimum of 20 acres. Based on the Village's land use plan the only area identified for the regional retail business is the land occupied by Prime Outlets and the proposed Phase V of Prime Outlets.

The owners of Prime Outlets have raised concerns related to the need for outdoor seating associated

with the restaurants at Prime. They're proposing two different restaurants, in addition to their Center Lodge courtyard area where there's proposed to be some outdoor seating.

At the time we wrote the B-2 Districts back in 2002, we wanted to build in some cautions or some possible concerns with respect to outdoor seating because we weren't sure if there were going to be any additional proposal to modify and increase that B-3 District area, and the concern we had is we didn't want to have outdoor seating for commercial uses that were on top of residential districts, because various things associated with outdoor seating and the alcohol and the loudness and music and different things that could be associated with outdoor seating we didn't want that to be a negative impact with the residential districts.

In the B-3 Districts there's no residential anywhere near this particular district area. So they had requested and we re-examined it, and we feel that there shouldn't be any reason why it shouldn't be a principal use in the B-3 District as opposed to a conditional use which requires separate hearings and separate meetings and additional administrative review by the Plan Commission and the staff.

With that, the staff redrafted the ordinance provision to allow for outdoor seating to be a principal use in the B-3 District. This is a matter that was before the Plan Commission at their last meeting, and the staff and the Plan Commission recommend approval. In addition, Prime Outlets has indicated their support for this particular amendment as well.

Steve Kumorkiewicz:

I move to approve 05-43.

Alex Tiahnybok:

Second.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #05-43 FOR A ZONING TEXT AMENDMENT TO AMEND SECTION 420-120 B (2) OF THE VILLAGE ZONING ORDINANCE RELATED TO PERMITTED USES AND SECTION 420-120 D (2) (A) OF THE VILLAGE ZONING ORDINANCE RELATED TO CONDITIONAL USES IN THE B-3, REGIONAL RETAIL BUSINESS DISTRICT PRINCIPAL USES TO ALLOW RESTAURANTS WITH OUTDOOR SEATING IN THE B-3 DISTRICT AS A PERMITTED USE; SECONDED BY TIAHNYBOK; MOTION CARRIES 5-0.

- E. Receive Plan Commission Recommendation and Consider the request of Scott Simon, agent for Simon Group for the property generally located north of STH 165 (104th Street) and east of 47th Avenue for approval of a Certified Survey Map to correct a previously approved CSM related to the development of the Sagewood Condominiums at Village Green.**

Jean Werbie:

Mr. President, I would ask that items F, G and H, since they're all interrelated, the first is for the certified survey map, the second is to consider Resolution 05-56 at the request of the same petitioner for the approval of the final condominium plat for the Sagewood Condominiums, and Item H which is considering Ordinance #05-44 and Ordinance #05-45 for a zoning map and text amendments related to the planned unit development for Sagewood Condominiums that I be allowed to speak on all of the items and then separate actions be taken by the Board.

John Steinbrink:

With Board approval. Is there a motion?

LAUER MOVED TO CONSIDER NEW BUSINESS ITEMS F, G & H AT THE SAME TIME WITH SEPARATE ACTION TAKEN ON EACH ITEM; SECONDED BY SERPE; MOTION CARRIES 5-0.

- G. Receive Plan Commission Recommendation and Consider Resolution #05-56 for the request of Scott Simon, agent for Simon Group for the property generally located north of STH 165 (104th Street) and east of 47th Avenue for approval of the Final Condominium Plat for the proposed first stage of the Sagewood Condominiums at Village Green which includes 9, 4 unit condominium buildings.**
- H. Receive Plan Commission Recommendation and Consider Ord. #05-44 and #05-45 for a Zoning Map and Zoning Text Amendment for the request of Scott Simon, agent for Simon Group for the property generally located north of STH 165 (104th Street) and east of 47th Avenue to rezone the area for the first stage of the Sagewood Condominiums at Village Green from the R-10 (UHO), Multiple Family Residential District with an Urban Landholding Overlay District to the R-9 (PUD), Multiple Family Residential District with a Planned Unit Overlay District and a Zoning Text Amendment to create the specific PUD Ordinance requirements for the Sagewood Condominiums pursuant to Chapter 420-137 of the Village Zoning Ordinance.**

Jean Werbie:

The Sagewood Condominiums at Village Green project is generally located north of Highway 165 or 104th Street and east of 47th Avenue. It is just to the east of the current Village Green Heights single family development that is under construction. It's actually considered as part of their stage 2 of that particular development. It's identified in the oval area on the slide.

On November 27, 2000, an amendment to the Village Green Neighborhood Plan was approved by the Plan Commission, and as part of that amendment this particular property was identified for single family condominiums. At that time we weren't sure exactly who was going to be the developer. Since that time Scott Simon has been negotiating and working with Marty Hanley and has or is about to purchase the property for the Sagewood Condominium development.

On August 20, 2001, the conceptual plan was conditionally approved by the Village Board. Again, with this conceptual plan there was a further refinement of the Village Green Neighborhood, and specifically this Village Green development and, again, the condominium development started to become more refined. It turns out that there are three actual pockets of condominiums that are being proposed on the east side of 47th Avenue.

On March 17, 2003, the preliminary plat for the Village Green Heights Subdivision was approved by the Board through Resolution #03-14, and at that time in the area that was identified for the condominium development it was referred to as Outlot 2. Again, this is east of 47th Avenue at the southeast corner of that particular development.

On March 17, 2003, the preliminary condominium plat for the Village Green Heights Townhomes North was approved by the Board through Resolution #03-15. Again, this is the area that's north of it, but as the sequence of events, as you can see each subsequent step we looked at another area of that particular development.

On March 17, 2003, the preliminary condominium plat for the Village Green Heights Townhomes South now known as Sagewood Condominiums at Village Green was approved by the Board. That was done through Resolution #03-16. Again, primarily what we were doing with this preliminary condominium plat was identifying building pad areas as well as the road layout pattern as to where the future condominiums would be located.

On February 2, 2004, the Village Board then approved the final plat for Stage 1 of the Village Green Subdivision single family development. The first stage of the development was 135 single family lots, and that was approved by Resolution #04-02.

On June 7, 2004, the Board approved certified survey map 2421, an amendment to the February 2, 2004 development agreement. This was to subdivide Outlot 2 of the Village Green Heights Subdivision plat into two parcels, the northern parcel and the southern parcel, to allow for the capability of installing some public improvements and to get some of that mass grading and storm water management work going and under way for the condominium area.

Next we have the Sagewood Condominium CSM changes. If I could just touch base with respect to those real quickly. The concept was to make any modifications or changes to this certified survey map to reflect now the specific units that Scott Simon is proposing. There were some minor modifications with respect to sanitary sewer easement locations, storm sewer easement locations, some minor modifications to utility easement locations, and then we just wanted to make sure that the roads and the property reflected the correct dedication and easement language. Again, what ended up happening is Scott's project presents larger condominium units than was originally proposed, and when we have the larger buildings there were some easement conflicts, so we wanted to get a corrected CSM to show those precise and corrected locations.

The Sagewood Condominiums at Village Green two stages. Stage 1, 9 four-unit condominium buildings located directly north of Highway 165 and east of 47th Avenue. Stage 2, 7 four-unit condominium buildings located east of 47th Avenue, south of Main Street. The key here was Stage

1 and Stage 2. Stage 1 is the area we're focusing on right now with respect to the final plat, and then Stage 2 will be an expansion area for that condominium.

Final condominium plat, Stage 1. They are constructing the condominium units so that they will have 6.54 units per net acre. 71.6 percent of the land area will remain as open space. Two access points will be provided to 47th Avenue, and no direct driveway or private roadway access to 165. The loop road that you see is actually a private road to be maintained by the condominium association and 47th Avenue is a public road.

Some specifics. Buildings 2, 3, 4, 6, 7 and 9, as you can see on the slide, it sets forth the square footages. You can see these units are quite big. The lower units are a little smaller. They have basements provided to the lower units. The upper units have some additional bonus room space so that they both have adequate areas for their living spaces, and their attached garages vary in size from 529 to 558 square feet.

Some artist renderings that have been presented in the past. They'll be included as part of the PUD and the condominium plat for our information. Buildings 2, 3, 4, 6, 7 and 9. And this just is an illustration of the various elevations for these particular units. We do have additional colored up renderings and building samples if anyone would like to see those.

The next slides are the floor plans for buildings 1, 5 and 8. Again, similar sized units. Upper units are a little bit larger. Lower units have basement areas for additional storage. Again, for these units this is more of an elongated type of building. The last ones we saw are more squared or box units. These are more longer range style type units. The attached garages vary from 528 to 534 square feet. This slide depicts the artist's renderings of the units that we were just looking at, the more elongated versions.

Similar materials are going to be constructed on all the buildings. We've got a lanin stone type building material, cement board, hearty plank and dimensional shingles throughout. And what Scott has done for us, and I don't have the board here but we can bring it in, he has presented a series or a pallet of colors that are very similar but not the same to give us variety but nothing that would provide any type of clashing between building to building. The stone is the same but there's different colors so they'll all complement each others.

Zoning map and text amendment to rezone Lot 1 of the proposed CSM to R-9 PUD, Multiple Family Residential District with a Planned Unit Development. The R-9 District allows for no more than four units per building, and the PUD will allow for more than one building per parcel. This is just the final condominium plat for Sagewood, and this is that first stage the second being the expansion.

You have before you, again, three different items that are on the agenda including the certified survey map, the resolution and the map and text amendments. The Plan Commission held public hearings on these matters and recommended approval subject to the comments and conditions in the staff comments and the resolutions attached and the ordinances attached. The staff recommends approval as presented.

John Steinbrink:

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The first item up here is Item F, the certified survey map to correct the previously approved CSM.

Mike Serpe:

Jean, the State DOT has a proposal to come through with a 165 foot wide right of way which is ridiculous and will certainly never fly, at least I certainly hope not. But is this going to impact Mr. Simon's development at all if that does go through?

Jean Werbie:

It will have some impact, and I believe the cross-section in this area is 150 and not 160, but it would have some impact in that their proposal at this point that I believe that the right of way that's been dedicated for this segment of Village Green is 60 feet from center. So that would allow for only a 120 foot right of way. So to increase that to 150 you'd need an additional 15 feet. It would reduce setbacks. It would not encroach into any of the building area, but it could encroach into the landscape.

Mike Serpe:

Just a little aside. I took a little ride and paid a little bit more attention on what was going on and what was going to happen if this happened at 150 or 160 feet. I'll tell you, I feel sorry for a lot of property owners. Their houses are going to be—

Steve Kumorkiewicz:

Right on the road.

Mike Serpe:

--gone. It's just not a real feasible proposition by the State DOT. But with that said we'll discuss that at the proper time. I think the 19th will be the day. I move approval of the certified survey map.

Steve Kumorkiewicz:

Second.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE THE REQUEST OF SCOTT SIMON, AGENT FOR SIMON GROUP FOR THE PROPERTY GENERALLY LOCATED NORTH OF STH 165 (104TH STREET) AND EAST OF 47TH AVENUE FOR APPROVAL OF A CERTIFIED SURVEY MAP TO CORRECT A PREVIOUSLY APPROVED CSM RELATED TO THE DEVELOPMENT OF THE SAGEWOOD CONDOMINIUMS AT VILLAGE GREEN; SECONDED BY KUMORKIEWICZ; MOTION CARRIES 5-0.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #05-56 FOR THE REQUEST OF SCOTT SIMON, AGENT FOR

SIMON GROUP FOR THE PROPERTY GENERALLY LOCATED NORTH OF STH 165 (104TH STREET) AND EAST OF 47TH AVENUE FOR APPROVAL OF THE FINAL CONDOMINIUM PLAT FOR THE PROPOSED FIRST STAGE OF THE SAGEWOOD CONDOMINIUMS AT VILLAGE GREEN WHICH INCLUDES 9, 4 UNIT CONDOMINIUM BUILDINGS; SECONDED BY LAUER; MOTION CARRIED 5-0.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCES #05-44 AND #05-45 FOR A ZONING MAP AND ZONING TEXT AMENDMENT FOR THE REQUEST OF SCOTT SIMON, AGENT FOR SIMON GROUP FOR THE PROPERTY GENERALLY LOCATED NORTH OF STH 165 (104TH STREET) AND EAST OF 47TH AVENUE TO REZONE THE AREA FOR THE FIRST STAGE OF THE SAGEWOOD CONDOMINIUMS AT VILLAGE GREEN FROM THE R-10 (UHO), MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH AN URBAN LANDHOLDING OVERLAY DISTRICT TO THE R-9 (PUD), MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT OVERLAY DISTRICT AND A ZONING TEXT AMENDMENT TO CREATE THE SPECIFIC PUD ORDINANCE REQUIREMENTS FOR THE SAGEWOOD CONDOMINIUMS PURSUANT TO CHAPTER 420-137 OF THE VILLAGE ZONING ORDINANCE; SECONDED BY KUMORKIEWICZ; MOTION CARRIES 5-0.

Jeff Lauer:

Real quick. I was here Monday and even tonight seeing those pictures again I think it's really going to look sharp so I commend you on that.

John Steinbrink:

We acted on all three of these together, and Mr. Simon having the opportunity to sit through as well as the representative for Mr. Kuttemperoor, we saw buildings here that are quality development in our Village, and we look at the crime and clearance rates and everything that goes with it, and this is what adds to the quality of our Village and we thank you for this kind of dedication and presentation of this to our community. As you know, working with Jean she's a stickler with detail and quality, and I think the residents of this Village should be very happy with what the Board passes here. So, once again, just to thank you for the quality because we see a lot of it and a lot of it is brought forward to us, and I don't think any of it, if it even gets in the door, but yours is a quality development. So, thank you.

- I. Receive Plan Commission Recommendation and Consider Resolution #05-57 for the request of Ajay Kuttemperoor, agent for V.K. Arbor, LLC owner of the property generally located north of CTH C (Wilmot Road) and west of 94th Avenue for approval of the Final Condominium Plat for the proposed first stage of the Arbor Ridge Condominiums which includes 15 two- unit condominium buildings.**

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John Steinbrink:

Jean, are you going to want to take both of these together also?

Jean Werbie:

Yes.

John Steinbrink:

Motion to take up Items I and J together?

SERPE MOVED TO CONSIDER NEW BUSINESS ITEMS I & J AT THE SAME TIME BUT WITH SEPARATE ACTION ON EACH ITEM; SECONDED BY LAUER; MOTION CARRIES 5-0.

- J. Receive Plan Commission Recommendation and Consider Ord. #05-46 and #05-47 for a Zoning Map and Zoning Text Amendment for the request of Ajay Kuttemperoor, agent for V.K. Arbor, LLC owner of the property generally located north of CTH C and west of 94th Avenue to rezone the area for the first stage of the Arbor Ridge Condominiums from the R-8 (UHO), Urban Two Family Residential District with an Urban Landholding Overlay District to the R-8 (PUD), Urban Two Family Residential District with a Planned Unit Overlay District and a zoning text amendment to create the specific PUD Ordinance requirements for the Arbor Ridge Condominiums pursuant to Chapter 420-137 of the Village Zoning Ordinance.**

Jean Werbie:

Mr. President and members of the Board, before you are Items I and J. The first is Resolution 05-57, and that is the request of Ajay Kuttemperoor, V.K. Arbor, LLC. It's the request for the approval of the final condominium plat for the first stage of the Arbor Ridge Condominiums which includes 15 two unit condo buildings. In addition, to consider Ordinance Numbers 05-46 and 05-47 for zoning map and zoning text amendment, again, for the request of Ajay Kuttemperoor. This is for the request to rezone the area for the first stage of the Arbor Ridge Condominiums from the R-8, Urban Two Family Residential District with an Urban Landholding Overlay District to the R-8 PUD. That's two family with a Planned Unit Development overlay.

The conceptual plan for this project was conditionally approved for an approximately 55 acre area generally located at 94th Avenue and Prairie Ridge Boulevard. This includes the Arbor Ridge Condominium project. The entire projects, which extends from Prairie Ridge Boulevard all the way down to Wilmot Road, includes 15 two-unit buildings, 5 four-unit buildings and 8 six-unit buildings.

The Prairie Ridge Senior Campus, which runs on a similar and parallel track to this, includes Phases 1, 2, 3 and 4-7. Phase 1 is already completed with 120 units. Phase 2 a 71 unit building, Phase 3 a 70 unit building, and Phases 4-7 is 260 total units within two buildings. The one thing I just wanted to mention with respect to the conceptual plan for this particular project area, we've been working on

the Prairie Ridge Development since just after 1996. So this has been and will continue to be a long-term project for the Village, and initially we discussed that this would be a 10 to 15 year project with full buildout.

The certified survey map, engineering plans and development agreement for this particular project had been previously approved by the Village Board. The only new public road in this development runs from the north end at Prairie Ridge Boulevard and then exists over to 94th Avenue. It's identified as 97th Court. The remainder of all the new roads are private roads, which include 96th Avenue, 81st Street, 98th Circle, 82nd Place and Ridgeway Court. All the private roadways are being designed to Village standards and specifications. All of the sewer, water and storm sewer that are underneath these private roads are public and designed to public standards and all will be dedicated to the Village.

A zoning map amendment on January 17, 2005 was approved by Board Resolution #05-06, and that was to rezone the property as follows: To put the south end into the R-8 UHO, the additional multifamily condo that's at the north end into the R-10 UHO, and to put the senior housing development into the R-11 UHO. Two separate planned unit developments are being written for this particular project, one that refers specifically to the senior housing component and one that refers specifically to the condominium component which you will be approving this evening.

The final condominium plat for the first stage of the Arbor Ridge Condominiums, again, what they're requesting this evening is 15 two-unit buildings north of County Trunk Highway C and west of 94th Avenue; the subsequent condominium phases will be expansion areas to this original condominium plat.

Briefly, we'll look at some of the floor plans that they have proposed for these units. Plan A, basement and first floor are 1,409 square feet, second floor 658 square feet. In this particular one we've also got some artist renderings that will be accompanying each of the floor plans so you can get a good idea. In this project there's brick as well as that cement board and the same type of dimension. A little bit more pitch to some of these, but these are two unit buildings as opposed to that previous project we looked at that was four unit buildings.

Plan B, which includes basement and first floor, 1,381 square feet, second floor 667 square feet. Also before you are Plans C, D and E, and their corresponding square footages are also shown on the overhead for you.

The planned unit development or the PUD zoning, map and text amendment. The zoning map amendment to rezone the area for the first stage would be to the R-8, which is two family and PUD which is planned unit development. The zoning text amendment identifies that the specific PUD requirements are in the ordinance information that you have before you, and it really specifically identifies the units, the size, the area, the setbacks, the colors, the bricks, all the information that's specifically tied to this particular development at this particular location.

And then just once again the final condominium plat for the first stage of the Arbor Ridge Condominiums at this point we are looking for the final approval of their first phase of the condominium. All of their public improvements are completed. They are very close to wanting to pull some building permits on this particular project. This is one that had gotten an earlier advanced

grading in order to get public improvements completed before the winter set in.

This afternoon the staff did receive a fax from the homeowner's association, and they had some concerns with respect to not the development as a whole or the quality of the buildings, but they had some concerns with respect to the landscaping on the particular project. They came a little bit later, and I had asked the developer actually to come at about eight o'clock tonight instead of at 6:30, so they did not get an opportunity to speak under citizens' comments, so they have requested an opportunity now to speak before the Village Board.

John Steinbrink:

I've requested that they put their testimony together, condense it, and present it to us. I know there are representatives here from the Prairie Ridge Homeowner's Association. So if you have a delegate chosen to make the presentation now is the time to come forward. You can come up together, that's fine.

Kathy Jalensky:

I'm Kathy Jalensky. I live at 9716 84th Place. I am a resident of the Prairie Ridge Subdivision and a liaison for the Association. We thank VK for what they've done for our development. As Jean had said we support the condominium plans. We think that it's certainly going to be a complement for our homes and certainly for the Village. We also thank VK because we had an opportunity to have a short meeting with him that we are requesting a little bit denser landscaping, so to say, to protect a barrier between the condominiums and the homeowners. The VK representative was kind enough to add onto the original landscaping plan that we had and agreed to make evergreens part of that, not only with density and height, so we appreciate that. But for the record we want to let you know that we do want something denser there.

Also some of the concerns of the homeowners that are abutting the condominium project, right now some of our homeowners are experiencing standing water, so we are looking for VK to correct that problem. There is a great deal of money that the homeowners have put into their landscaping and we certainly want that protected. And we know that the Village is very concerned about grading so we'd like that very carefully looked at.

Also we were told it was going to be a higher grade, and I think the plan that we have is just a conceptual plan, but we want to make sure that the grading is, of course, going to protect our homes and along with the entire subdivision. We are hoping to have an opportunity to look at that final grading and make sure it will protect the residents that are abutting the condos.

Dave Winkowski:

Dave Winkowski, 9718 82nd Avenue. Everything that Kathy said. We looked at the original plan. I stood before the Board here, the Village, and asked that the density be there, but the density also to include year 'round vegetation, more evergreen, arbor vitae. So when we saw the plans come out here we saw a lot less density so we were concerned what was originally proposed and what we're currently seeing on the current layouts here. I'm sure the Village has this. So we meet to the side over here and I think we came to a equitable solution. Actually the rep here circled some more trees

in here and signed it for us, so I don't know if that's a public record or how that works officially. I think it meets our concerns for year 'round vegetation with kind of like an evergreen barrier if you will.

And then the second concern to Kathy's point was just the grading of it. We were of the understanding that it was a final grading, but indeed that was only an interim grading, so we also requested a copy of what the final grading would look like so as to prevent any future water issues that we're currently experiencing with some of our neighbors in some of our cul-de-sac areas. Primarily 82nd and 84th Place is where we're experiencing a lot of the water issues due to the drainage from the current grading. Questions?

Mike Pollocoff:

I guess has the letter of credit been finalized?

Jean Werbie:

A long time ago. This is private landscaping, so at this point we don't typically ask for a letter of credit for private landscaping, only public landscaping which would have been all along the street amenities or public street areas. So we would not typically have a letter of credit for private.

Mike Pollocoff:

But we have their contract for grading and landscaping for the private work?

Jean Werbie:

No.

Mike Pollocoff:

I think if the Board is going to approve the final plat and we want to address the issues that have been brought up we need to know a couple things. One is be able to examine the contract with the landscaper to see what's on there and what's not on there. I think that could be done relatively quickly if that plan gets modified and everybody agrees to that.

Then as far as the grading, VK's engineer is going to be responsible for saying that the final grading is achieved. I guess that's not an uncommon complaint. As developments kind of lumber along there's that point where it's almost done, it's almost done, and until it gets done it doesn't fully work the way you want it, but everybody has got to struggle through that time period.

But I heard another thing, and I want to make sure I'm not hearing more than one thing, but the existing lots are not draining? The existing improved lots aren't draining the way they planned for?

Dave Winkowski:

We do have some existing water issues. I don't know if it's because of the work that's being done

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right there right now. Theresa lives in right in one of the areas so she would be able to testify better than I can.

Mike Pollocoff:

I think that's a separate issue from this but it's probably one that should be addressed. We can have the chief building superintendent do a couple things. Take a look at the final grading surveys that were set for those lots and make sure they hit the engineer's design. And, if they did, I guess we need to go back to engineering and see what's going on with that. But if the Board looks to adopt this final plat, there's two things you could do. You could adopt it and take full faith that everybody is going to get what they want, or you can adopt it and say you want to see a copy of the amended landscaping plan that VK is going to have with his contractor and that contract that goes along with it so we know the money is contractually committed to do that work.

Jean Werbie:

. . . one of the exhibits to the planned unit development. So at this time I have not a final version of that. So Fouad will need to go back and make the corrections and modifications to the landscaping plan so I can attach it as an exhibit with the planned unit development and the other condominium documents that I have. We can certainly also ask for the contract documents as it relates to the private landscaping, but that's typically how it works. And then final occupancy of the condominium units is subject to landscaping being completed. So that is one strong arm that the Village uses to make sure that they follow through and complete their plans as originally proposed to the Village is that occupancy is tied to completion of the entire project which includes grading and landscaping.

Mike Pollocoff:

That's such a nasty fight at that time. I'd rather make sure—

Jean Werbie:

I understand that. But if they're made aware of that and we re-enforce that throughout the process which we have with the other developers we don't wait until the last minute to deal with that kind of issue. And if we do and they run into poor weather, then we require landscaping bonds to be posted with the Village, and we have had developers do that. If they couldn't because of weather, they would post an irrevocable bond with the Village for a period of time until we get that landscaping completed.

John Steinbrink:

And follow up with the water concerns with the lady?

Jean Werbie:

Yes. I made a note to speak with Jeff about that and I mentioned it to the Village Engineer as well.

John Steinbrink:

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The developer is aware of that now also.

Steve Kumorkiewicz:

I'd just like to table this issue to the next meeting. So in that way we don't have a problem in the future. They have two weeks to work it out.

John Steinbrink:

I think they've gone to the back and worked on this, Steve, for a while. Are you comfortable with what you came back with from the back? That's what I heard when you came forward.

Kathy Jalensky:

I'm comfortable with that. I'm looking at the rest of the residents that are here. The question that I would have is for those residents right now that have standing water, we certainly would want this approved and we'd like this project to go through, it just is, again, a betterment for our subdivision and the for the Village and we have no problem with that. The question would be if some of the homeowners who spent a lot of money on landscaping still have standing water it costs them money and it's a problem, I would imagine that VK would give their word that they would work with us for the homeowners who have standing water who have a problem and then work with the Village on grading. I'm looking for this, but I would certainly be comfortable with that.

John Steinbrink:

My concern is that the season is growing short here, and if there's work to be done I don't want to delay it by two weeks so that we have well established and no dead plantings and other things.

Kathy Jalensky:

Sure, and we're not asking for this project to be delayed. Again, we are looking as a public record that they will give their word that they'll take care of the homeowners who have standing water. We'd like to progress with this and take care of this landscaping issue.

John Steinbrink:

And they've worked well with us in the past.

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Kathy Jalensky:

Absolutely.

John Steinbrink:

Maybe we can hear from the representative.

Fouad Saab:

My name is Fouad Saab from V.K. Development, 19275 West Capital Drive. I spoke with the homeowner's association, and I've assured them that we will look at the landscaping plan that will add to make it much more denser abutting their existing homes.

In terms of the standing waters, this is the first it's been brought to my attention. We have right now currently interim grading plan. The final grading plan will be implemented as the other phases of the construction comes along and then hopefully would not be impacting their homes. I'm going to go take a look at it. We just had recently rain and all summer we didn't have any rain to assess the situation. So we will go and look at it. If there is something we are causing we are more than happy to take care of it. Like you said, if the building inspector goes out there and says maybe the existing grade was too high or too low we'll work together to resolve the issue. We're not here to be a stumble block in the situation.

John Steinbrink:

Thank you.

Kathy Jalensky:

One last word. This isn't a new issue. Ajay was informed of this in early summer. He had come to the subdivision and he had started to make some corrections, so I think maybe there's just communication between Ajay and the representative here. So we just want you to know that we're not just bringing this at the last minute, but that we had tried to work this out. So if they will continue to work with us we'll be fine with it. Thank you.

John Steinbrink:

This will be reviewed and followed up. Jean has made that commitment.

Dave Winkowski:

Do you want a copy of this then that was signed.

John Steinbrink:

If you want to present that to Jean

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Dave Winkowski:

This is our only copy.

John Steinbrink:

She'll include it with all the documents she has.

Jean Werbie:

I'll make a copy of that.

John Steinbrink:

Thank you very much.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER RESOLUTION #05-57 FOR THE REQUEST OF AJAY KUTTEMPEEROR, AGENT FOR V.K. ARBOR, LLC OWNER OF THE PROPERTY GENERALLY LOCATED NORTH OF CTH C (WILMOT ROAD) AND WEST OF 94TH AVENUE FOR APPROVAL OF THE FINAL CONDOMINIUM PLAT FOR THE PROPOSED FIRST STAGE OF THE ARBOR RIDGE CONDOMINIUMS WHICH INCLUDES 15 TWO- UNIT CONDOMINIUM BUILDINGS; SECONDED BY TIAHNYBOK; MOTION CARRIES 5-0.

John Steinbrink:

Then we have Item J which is to consider Ordinance #05-46 and #05-47 for a zoning map and zoning text amendment.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER ORD. #05-46 AND #05-47 FOR A ZONING MAP AND ZONING TEXT AMENDMENT FOR THE REQUEST OF AJAY KUTTEMPEEROR, AGENT FOR V.K. ARBOR, LLC OWNER OF THE PROPERTY GENERALLY LOCATED NORTH OF CTH C AND WEST OF 94TH AVENUE TO REZONE THE AREA FOR THE FIRST STAGE OF THE ARBOR RIDGE CONDOMINIUMS FROM THE R-8 (UHO), URBAN TWO FAMILY RESIDENTIAL DISTRICT WITH AN URBAN LANDHOLDING OVERLAY DISTRICT TO THE R-8 (PUD), URBAN TWO FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT OVERLAY DISTRICT AND A ZONING TEXT AMENDMENT TO CREATE THE SPECIFIC PUD ORDINANCE REQUIREMENTS FOR THE ARBOR RIDGE CONDOMINIUMS PURSUANT TO CHAPTER 420-137 OF THE VILLAGE ZONING ORDINANCE; SECONDED BY KUMORKIEWICZ; MOTION CARRIES 5-0.

Jean Werbie:

And this is subject to the additional information that was presented this evening?

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Mike Serpe:

Yes.

John Steinbrink:

That becomes a part of the record then, correct?

Jean Werbie:

Yes.

K. Receive Plan Commission Recommendation and Consider the request of Mike & Carol Foran, owners, for a Lot Line Adjustment between the properties located at 11505 Lakeshore Drive and the vacant parcel to the immediate north.

Jean Werbie:

Mr. President and members of the Board, the petitioner is requesting to adjust the lot line between their two adjacent properties that they own at 11505 Lakeshore Drive. Specifically, they are requesting to adjust the lot line between Tax Parcel Numbers 934-123-293-0210 and 934-123-293-0215.

Specifically, there is a driveway that was originally constructed on Parcel B that somewhat meandered from their property onto the adjacent property to the north. What they're requesting to do is just adjust that lot line between the two so that the driveway, in addition to the five foot side setback is meeting the ordinance requirements of driveway to lot line of five feet.

The Parcel A and Parcel B square footage are shown for you. Both lots well exceed the minimum requirements of the R-5 District in that particular area, with lot areas of just under 20,000 square feet and just 28,000 square feet; lot frontages of 115 and 120 feet respectively; and the lot depth for both of the lots is in excess of 200 feet. So the northern Parcel A would be sufficiently large enough to construct another single family home when they choose to sell that particular lot.

This area of the Village is not currently served by municipal sewer and water, so as part of the permit application for a new single family dwelling, the applicant will be required to get a sanitary permit from Kenosha County and a private well will need to be installed for the water service for that particular lot.

One other final item is that it doesn't appear that there's any shore protection at this time on Parcel A, so we are requiring that a letter from a State of Wisconsin licensed professional engineer be submitted to the Village prior to anyone obtaining a building permit on Parcel A to verify that, in fact, that lot is adequately served with shore protection and that additional or continue erosion will not deteriorate that particular lot once a single family home is built on it.

The Plan Commission and the staff recommend approval subject to the comments as outlined in the staff memorandum.

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Steve Kumorkiewicz:

I have a question. Jean, the north piece of property does have shore protection, right?

Jean Werbie:

That's correct. It does not have any additional. There's a groin that extends out right on the property line and then there's quite a big of broken concrete and cubes that protect the existing lot that has the existing home.

Steve Kumorkiewicz:

Now, in this condition, is that property buildable or not?

Jean Werbie:

Yes.

Steve Kumorkiewicz:

Without shore protection?

Jean Werbie:

The lot has adequate area to build a home without obtaining any variances. What we're asking, however, is that just verification be provided that the site is adequately protected by the existing shore protection, that no additional shore protection would be needed on this particular property for a home to be built.

Steve Kumorkiewicz:

Thank you. I want to make sure because we have too many problems in the area.

Alex Tiahnybok:

The 5.5 foot lot adjustment has no adverse effects on the northern property? It sounds like there's plenty of space, right?

Jean Werbie:

Correct.

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Alex Tiahnybok:

Based on Plan Commission and staff I recommend approval.

Steve Kumorkiewicz:

Second.

TIAHNYBOK MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER THE REQUEST OF MIKE & CAROL FORAN, OWNERS, FOR A LOT LINE ADJUSTMENT BETWEEN THE PROPERTIES LOCATED AT 11505 LAKESHORE DRIVE AND THE VACANT PARCEL TO THE IMMEDIATE NORTH; SECONDED BY KUMORKIEWICZ; MOTION CARRIES 5-0.

L. Consider Ordinance No. 05-48 – Ordinance to Amend Section 292-6 of the Municipal Code relating to collection of solid waste at apartment complexes.

Mike Pollocoff:

Mr. President, I request that Section 292 of the Municipal Code be amended. The amendment is in bold on the ordinance. In essence, the Village will not collect solid waste, garbage and refuse from apartment complexes consisting of 16 units or more that require the use of rear loading containers. In addition, under C, Apartment complexes consisting of 16 units or more shall contract to have their solid waste, garbage and refuse collected on a weekly basis and recyclables collected not less than biweekly.

The reason we're proposing this is given the equipment we have this is a little more problematic to do, especially when they're one large unit and you can't collect them door by door by door like some of the units are where they use the dumpsters. Typically John Steinbrink has indicated in his staff report if we look at Hidden Oaks, and they're the ones right now that would be at issue, people just load those up and they really don't participate in the recycling part of the program, so they only recycle 12 percent of the solid weight when the rest of the Village runs at 25 percent of the recycling. So every dollar we're spending there we're losing money on it, and given the nature where you just have one dumpster and people are throwing stuff in there, there's really no incentive on their part to control the cost. So in that case I think the rate payers end up subsidizing that, so if that's the case my recommendation would be we encourage them to seek a private collector. We do want to require, though, that solid waste is collected on a weekly basis so they don't go without.

Mike Serpe:

It's not going to be a problem with the finance department doing the billing from this? They'll be exempt?

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Mike Pollocoff:

No, it will just come off the billing records. It really helps our bottom line. Again, everything we put into recycling we don't pay for. The more we put into the solid waste landfill we pay for every pound.

Alex Tiahnybok:

Is this '96 rear loading truck purchased specifically to handle Hidden Oaks' situation?

Mike Pollocoff:

No.

Alex Tiahnybok:

It sounds like it's useful somewhere else, also, right?

Mike Pollocoff:

It's a backup truck. We do have some other sites where we have dumpsters that are duplexes, four plexes, just places here and there. The Village facilities that we pick up. In essence that truck is our backup truck.

Alex Tiahnybok:

Are they aware of this, Hidden Oaks?

Mike Pollocoff:

Yes, and they're fine with it.

Alex Tiahnybok:

I motion for approval if they're fine with it.

Jeff Lauer:

Second.

TIAHNYBOK MOVED TO ADOPT ORDINANCE NO. 05-48 – ORDINANCE TO AMEND SECTION 292-6 OF THE MUNICIPAL CODE RELATING TO COLLECTION OF SOLID WASTE AT APARTMENT COMPLEXES; SECONDED BY LAUER; MOTION CARRIES 5-0.

M. Consider Offer of Tom Cummings to sell property located at 12125 Wilmot Road to the Village of Pleasant Prairie.

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Mike Pollocoff:

Mr. President, we've received an offer from Tom Cummings, the property where X marks the spot. That's a recent annexation to the Village of Pleasant Prairie. It wasn't included in the redevelopment plan for the area along the Interstate and C. We did acquire on the right of way the access rights for any future commercial uses. The property is within the 100 year floodplain. It has a home. His offer is for \$181,900. This is comparable to other properties that we purchased in there as far as residential properties.

Once acquiring it, and this would be acquired by the TIF District instead of the CDA, the property would be razed and put into the floodplain. We're going to be looking for some reimbursement of expenses from the Wisconsin DOT because they're going to be redoing that interchange and this would be a property acquisition that they would be making. So, again, he's a willing seller and we're a willing buyer and it would be my recommendation that we accept Mr. Cummings' proposal for purchase of his property for \$181,900. There will be additional expenses not determined yet but not to exceed \$20,000 for relocation expenses required by Wisconsin Statutes for displacing a homeowner. Until a mover gets in and takes a look at what he has and gives him an estimate, whatever he has in his outside sheds, to get that relocated to a new place.

Mike Serpe:

Why would there be relocation expenses if he approached us for the purchase?

Mike Pollocoff:

Because even though under the statutes this could be a property we could acquire through eminent domain, he'll be signing a release saying I realize that I could have gotten an appraisal of my own that you would have paid for, but I'm accepting your appraisal, so we're have to really kind of walk him through the process even though he's a willing seller. That doesn't mean you give away your rights under the statutes for relocation expenses. He's found a place he wants to go to, but we have to help him get there . . . identified as an acquisition site.

Jean Werbie:

Not Tennessee, right?

Mike Pollocoff:

Right.

Steve Kumorkiewicz:

You mentioned the DOT

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Mike Pollocoff:

DOT has approved a highway access and control plan that shows his property will be acquired for Highway C. And if we've acquired it and followed all the procedures, they will reimburse us a healthy portion of the cost for this acquisition.

Steve Kumorkiewicz:

DOT 233 . . . the right of way.

Mike Pollocoff:

No.

Steve Kumorkiewicz:

You know what I'm talking about.

Mike Pollocoff:

No, this is different. This is the federal highway improvement plan.

Mike Serpe:

Mr. Chairman, I'd move to authorize the Village Administrator to complete the sale of the Cummings property located at 12125 Wilmot Road.

Alex Tiahnybok:

I second.

SERPE MOVED TO AUTHORIZE THE VILLAGE ADMINISTRATOR TO COMPLETE THE PURCHASE OF THE CUMMINGS PROPERTY LOCATED AT 12125 WILMOT ROAD AS OUTLINED; SECONDED BY TIAHNYBOK; MOTION CARRIES 5-0.

N. Consent Agenda

- 1) Approve Bartender License on File.**
- 2) Approve a Letter of Credit Reduction for Johnson 60th Avenue Cul-de-sac.**
- 3) Approve a Letter of Credit Reduction for Westwood Estates.**
- 4) Approve a Letter of Credit Reduction for Hideaway Homes.**

LAUER MOVED TO APPROVE CONSENT AGENDA ITEMS 1-4 AS PRESENTED; SECONDED BY SERPE; MOTION CARRIED 5-0.

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7. ADJOURNMENT.

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY LAUER; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 10:50 P.M.