

**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
December 3, 2007
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, December 3, 2007. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Mike Serpe, Monica Yuhas, Steve Kumorkiewicz, and Clyde Allen. 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**

Jane Romanowski:

John Braig.

John Braig:

John Braig, 4707 84th Street, Kenosha. Ms. Yuhas, gentlemen, I appeared before this group once before talking about the coal train. I'm here again. I never thought I'd say it, but I have to, I'm disappointed in this Board and I think I'm disappointed in the administration. I can't believe a train can block public roadway for periods I'd say average at least 20 minutes. I've sat there on two occasions for more than a half an hour. The most recent one was a couple days ago. I was westbound and the first car stopped at the train. I was there for 20 minutes. During that period most of the cars that are familiar with the problem, they immediately turn and pull away. While I was there someone suddenly appeared walking south on the east side of the right of way right up against the train. I mean if he wanted to he could have hit the train car. He was on--there's an embankment with a lot of stone and rubble there and he was struggling to stay up at the top of it. But he suddenly appeared. And I can only conclude that he came from the west side of the train either under the train or between cars.

When he got to the roadway to 95th Street he got into the driver's seat in the vehicle behind me. Now, I can only conclude that it must have been his wife that drove to that point, got stopped by the train, some how made some telephone communication with him. He probably worked at, what's the cold storage place right there? He probably was employed there, got out, somehow crossed the right of way through the train or under the train and then came along the right of way and got in his car and they turned and headed back east. Now, this is two occasions where

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someone has crossed that right of way with that train there. In Village administration and in dealing with our emergency forces everyone acknowledges that this place is blocked for long periods of time.

I can recall watching a program on Channel 11. It was something of a, I wouldn't call it a travelog, but it was a series of programs dealing with the suburbs around the Chicago area, giving their history and their highlights and so on. I remember very particularly Blue Island, someone there made a comment that they had terrible problems with trains blocking the right of way until they enacted some statute or ordinance, but the comment was they made it a paying venture. So I think somehow we should investigate to see what the heck can be done about blocking 95th Street the way it is. Thank you.

John Steinbrink:

Thank you.

Jane Romanowski:

Bob Babcock.

Bob Babcock:

Bob Babcock, 11336 Lakeshore Drive. Just for a quick comment on Mr. Braig's statement there, when I went to high school, which was many, many years ago, a friend of mine decided to crawl under a stalled train, it started to go, he panicked and it cut his arm off. So it's a dangerous thing.

First of all I'd like to congratulate the snowplow crews on the excellent job they did Friday. They did the same as they always do. A very good job.

Item F on the agenda tonight deals with adding audio transcripts to the Village website which would be considered a step in the right direction. However, the citizens of Pleasant Prairie would be much better served if they were provided with a video transcript. It's been said that the cost would be \$170,000 a year to provide video. I certainly hope that somebody could figure out how to do it for less than \$7,000 a meeting, and if you want to offer me \$150,000 I'll do a good job for you.

As a suggestion, possibly the Village Board could talk to the School Board about having the taping done as a school project. I'm sure there are a number of classes in the school, civics and photography classes and so on and so forth that could gain some valuable on-the-job training by doing this. They would not only get the work experience but they would also get a good introduction as to how our Village government functions. They even air it on their own TV channel for free.

One other thing you could possibly look at, sponsorship, maybe the Outlet Center or something like that may want to sponsor the taping of the Village Board meetings. That's about it. Thank you.

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Jane Romanowski:

There are no more signups, Mr. President.

John Steinbrink:

Anyone else wishing to speak. Mr. Ginkowski?

Dick Ginkowski:

Thank you. Dick Ginkowski, 7022 51st Avenue. I want to respond to Bob Babcock for a moment. I agree, by the way, our plows did a marvelous job as usual.

With regard to blocking the railroad crossing, unfortunately it's coal, I don't have my laptop with statutes on disc in there, but my recollection is that there is a State Statute on that point with regard to how long a railroad crossing may be blocked. I will put that on my to do list, but my suggestion, Bob, is that if you have one of those instances where it is a long time, and you can document it, I mean look at the clock from point A to point B and it becomes a problem. If, in fact, that statute is still on the books and exists and applies, the police department can issue a citation to the railroad. And also I think there's some things that we might be able to do to speak to the railroad with regard to that. But I believe there is a State Statute on point. I can't put my finger on it, don't have the material available.

With regard to the Item F, I had an opportunity to both take a look at, among my many hats, I think at the age of 13 I was the youngest licensed FCC engineer in the country and also broadcast engineer. And the concept of televising the meeting, what Alex Tiahnybok has done, has proven, by the way, both arguments. Number one, it can be done somehow. And, number two, if you don't do it right it doesn't look good. So, yes, I think there is a cost to televising the meeting and to do it right. I don't believe it's \$175,000.

What I think in terms of initial acquisition, and this is kind of bandied about, is that the initial acquisition of equipment and running the line to the control point is where the cost is. And so, you know, your initial equipment acquisition in that that's where your problem is. Your cost per meeting is going to be about \$400 once that's done. But the initial issue would be acquisition of equipment and also the cost of running a line out to the IcePlex.

The next alternative, though, to web cast the meetings with a live audio stream, I mean Cadillac level of doing that is a couple grand a year, maybe \$3,000 tops once you—if you want to acquire some equipment. And it actually can be done for less than that, but the most reliable way of doing it is about \$120 a year for web space access. And if you paid someone let's say \$15 an hour part time to look at the switch and make sure it's running during a meeting, average number of Board meetings, average number of hours, at the most you're talking two grand a year. That is doable realistically speaking at some point. The advantage of having a live audio stream is that people can listen to what's happening. I don't think they need to see people as much as being able to listen to it, listen to it anywhere on the Internet. That would certainly give the news

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media, if Mr. Krerowicz has to run back to the office to meet a deadline, wants to pop it on the computer and hear what's happening on an item, if the meeting is still in progress, he can do that. WGTD, if they want to listen to something and put it on the air the next morning they can certainly do that. WLIP dumped it's news department a number of years ago. If you ever want to know what's in the *Kenosha News* just listen to WLIP at seven o'clock because all they do is read the paper on the air.

But realistically speaking that is an alternative that is affordable and doable, and I think it's a good idea, and I recommend it for serious consideration. But I do believe that there is significant cost associated with telecasting the meeting, but the primary issue of that would be acquisition and the line. Once that's in the cost would drop to—it would take a couple of camera operators and somebody to run the switch and the console during the meeting. But it's not free. To do it right would cost some money. Thank you.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? Yes, sir?

Alex Tiahnybok:

Alex Tiahnybok, 8757 Lakeshore Drive. A lot of the things that I aimed to say have been said already. But as you can see it's technically feasible. I'm not a broadcasting engineer but I'm a chemical engineer and efficiency is generally what we look for, and the \$175,000 frankly I was blown away when I heard that number. Maybe that's to rewire this entire room and put a broadcast quality sound system in here. We talked about that in the past. I'm not denying that probably should be done, but video acquisition and audio public PA in a room like this are entirely different things. I think they can be separate. It's a cheap process. Old camcorder, I could make you a DVD every meeting.

I have to believe that the facilities from which we insert the video stream into Channel 25 has to be somewhere in the Village's possession. I don't really even know where that is. I believe it's at the RecPlex. I have to believe there's such a thing as a DVD player, and I believe that DVD player has a play button on it. It's pretty simple. Cost wise it can be essentially negligible. I appreciate that you're taking baby steps with this audio idea. Some people have cable, Internet, some people don't. Some people can watch Channel 25, other people can't. I'm not opposed to doing it both ways. Again, the cost is negligible. I'd be willing to do a trade with you, \$20,000 a year or property taxes, whichever one is lower.

It was stated at the lat meeting that the IT expense, the IT department actually manages Channel 25, and the cost of operating Channel 25 a third of it comes from the general levy, a third of it comes from the utilities which are profitable entities, and a third of it comes from the RecPlex which should be in the black. So when I turn on Channel 25 I see a lot of RecPlex coverage, I see a lot of utilities coverage, let's face it, garbage, water, clean water, getting a lot of money for that, so one-third of the cost really is what the taxpayer would pay if there was any cost at all.

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So I encourage you to accelerate this effort and actually get this on video. Again, I can provide you a DVD of every meeting and it's not going to be You Tube quality. It's going to be digital video. The sound will be much better. If we put a microphone in the right place instead of trying to record from the camcorder it would even be that much better. So all these objections I think are gone. And if you don't want to do this it's simply that you just don't want to do it and I think the citizens deserve more. Thank you.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? Yes, sir?

Bob Babcock:

Bob Babcock, 11253 3rd Avenue. I did some research. I called Lake Forest TV and Time Warner. Lake Forest does do live video which is more like Mr. Ginkowski was talking about with a line from here to the IcePlex. You could do a web cast and you could also broadcast it on 25 live. The cheaper alternative is, like Mr. Tiahnybok said, a couple of cameras, just record the show, put it on DVD and play it a few times a day or whatever you decide. You could do that cheap. I assume you own cameras already so I don't see where the cost is. Time Warner said there's no additional charge to run video. It doesn't matter what you run from—it's up to the Clerk what she runs. So I don't see the cost being an issue. Thank you.

John Steinbrink:

Anyone else? Hearing none I'll close citizens' comments and move on—is there any response? Hearing none, the Administrator's report.

5. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Mr. President with respect to—this relates somewhat to the comments by Mr. Braig, we'll be meeting with the Rail Commissioner this week to discuss the issues with—we'll be meeting with the Rail Commissioner and representatives from the Canadian Pacific to talk about some of the issues they've had with diesel engines idling by the Westwood Mobile Home Park as well as we could visit with them about the issues as far as coal trains or any kind of train stoppage on the tracks. I do know there is a statute governing how long that they can be on there and it's to what extent they'll respond to a citation. So we'll see what we can do. I guess the meeting we've arranged with the Commissioner to be down here we'll facilitate that. That's all I have.

6. NEW BUSINESS

A. Receive Plan Commission Recommendation and Consider Ordinance #07-51 approving a Zoning Map amendment to Section 420-140 E of the Village Zoning Ordinance related to the use of existing nonconforming lots in the business districts.

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Jean Werbie:

Mr. President and members of the Board, Ordinance #07-51 is an ordinance to amend Section 420-140 E, and this has to do with nonconforming lots in the Business District. Specifically the request you have before you is a modification that would allow for the reduction of the minimum width or the internal site circulation ways insofar that it does not allow the lot to be developed in compliance with the remaining ordinance requirement.

Let me begin by saying what we have is a situation where we have existing nonconforming lots within a B-2 District that are so narrow that it's very difficult to get everything on the lot that they need to get on the lot. The ordinance has a very detailed section that outlines, well, first let's look at reducing the size of the building. Then let's look at reducing possibly the number of parking spaces. Let's start looking at reducing the setbacks, the side setback or the rear setback. So there's a number of steps that the planning department will go through in order to make that a buildable lot because it's existing nonconforming.

But one of the items that is not included within the ordinance at this time is what to do with the garbage dumpster or the recycling dumpster enclosures. At this time the site and operational plan provisions require that they be attached to the principal structure. But we've got a situation where the lots are so narrow it's very difficult to simply attach them to the side of the building, so this provision introduces a modification which would allow the zoning administrator to take a look at the individual parcel to see whether or not we could have a separate detached accessory structure for garbage and recycling behind or on the side of the building that's not immediately attached to the building. So that's what this provision allows. And it does specifically also set forth a three foot side or rear setback to accommodate some type of green space.

But in a situation that we're butted up to a property line and we know we have long-term open space adjacent for some reason, then we might be able to forgive that particular setback. Again, what we're trying to do is be able to use the existing nonconforming B-2 lots, or Community Business District lots, and still have them accommodate a reasonable use but not to eliminate any of the essentials that need to be on that property.

So Section E (1)(h) sets forth this very provision. And then there is another area where it talks about the principal structures, again, and that is in Section 2(f) like Frank. Again, that paragraph accommodates these types of accessory structures on the property.

John Steinbrink:

Jean, we have a question. Mike?

Mike Serpe:

Jean, with reference to the commercial districts that require the garbage dumpsters or the facility to be attached to the building is that pretty standard in all commercial?

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Jean Werbie:

Yes. It's a site and operational plan provision that was incorporated into the modifications that we rewrote a couple of years ago.

Mike Serpe:

And that's just the enclosure part that we're talking to be attached to the structure, is that correct?

Jean Werbie:

That's correct. And then dumpster itself or the recycling dumpster itself needs to be inside that enclosure.

Mike Serpe:

I'm not disagreeing with that. The only thing that came to mind was that sometimes these facilities start on fire, and if they're too close to a building and if they're in the back of a building a fire can get a pretty good start before somebody can spot it to call it in. I just wonder how far do we keep those dumpsters from the building? What's the requirement? If the enclosure is attached to the building how far away can that dumpster be that it possibly could cause a problem?

Mike Pollocoff:

Maybe we could get Chief Guilbert to comment on that because I think that's a good point.

Chief Guilbert:

I'm Paul Guilbert. I'm the Chief of Fire and Rescue. I'm at 8044 88th Avenue. Again, the distance that's being recommended on the dumpster, Jean?

Jean Werbie:

Currently the dumpsters are required to be—the enclosure is required to be attached to or part of the principal structure. And if, in fact, it's separated from the building we would require that it has a minimum of a ten foot separation between the building and the accessory structure and a minimum of three feet from the lot line.

Chief Guilbert:

I don't have it—I can't quote it without looking it up, but I know there's a difference between the dumpster being against the masonry wall versus a combustible wall as to what the State Fire Code requires.

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Jean Werbie:

And what I can tell you is that in the B-2 District all of the walls for our buildings must be masonry, brick, block, stone. They can't be combustible material.

Mike Serpe:

Okay.

John Steinbrink:

Is the structure going to be the same material?

Jean Werbie:

Yes, and that's already set forth within the site and operational plan provisions of the zoning ordinance as a requirement.

John Steinbrink:

Any other questions for Chief Guilbert.

Mike Serpe:

Thanks.

John Steinbrink:

Thank you, Chief.

Mike Serpe:

If there's no other comments I move approval of Ordinance 07-51.

Steve Kumorkiewicz:

Second.

John Steinbrink:

A motion by Mike, second by Steve. Any further discussion on this item?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #07-51 APPROVING A ZONING MAP AMENDMENT TO SECTION 420-140 E OF THE VILLAGE ZONING ORDINANCE RELATED TO THE USE OF EXISTING NONCONFORMING LOTS IN THE BUSINESS DISTRICTS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

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B. Receive Plan Commission Recommendation and Review and Consider Chapter VII, "Issues and Opportunities Element" of the Multi-Jurisdictional Comprehensive Plan for Kenosha County.

Jean Werbie:

Mr. President and members of the Village Board, this is Chapter VII, the Issues and Opportunities Element, as presented as part of the Multi-Jurisdictional Comprehensive Plan for Kenosha County. This chapter was presented to the Plan Commission at their last meeting on Monday, and we actually had a chance to talk about this chapter at our County meeting on Tuesday of this past week. So I'll go over the chapter briefly and then possibly I can address some of the concerns and comments that were raised at that last Plan Commission meeting.

The purposes of the issues and opportunities element is to define the desired future for Kenosha County and each participating local government. The future demand for land, housing, transportation facilities, utilities and other community facilities are directly related to future population, household and employment levels.

The information regarding population and household projections for the year 2035 serves as a basis for developing the planning framework along with employment projections, and it's provided as part of Part 1 of this chapter. Information on employment projections is provided in Chapter VIII.

Part 2 of the chapter sets forth Kenosha County's visioning process and its results and describes the process used to develop a countywide vision statement as well as to identify issues and opportunities. At the meeting on Tuesday we actually helped to put together that visioning statement, and I'll be bringing a draft of that statement back to the Plan Commission and the Board in January.

The vision statement was developed. Again, we're working on multiple drafts of that vision statement, and it will provide the framework for the County. The Village will also develop a vision statement as part of our Comprehensive Plan which will then be presented to our own Village. The vision statement expresses the preferred future, key characteristics and expectations for the future desired by the County and the nine local units of government. So it's a rather generalized statement that we try to have it apply to all of the communities within Kenosha County in addressing the nine planning elements of the Comprehensive Plan.

The Wisconsin Statutes requires the issues and opportunities element include a statement of overall objectives, policies, goals and programs. This is new. It's not something that was included in the last Comprehensive Plan that was prepared, but it is something new that the government wanted to have us include in all comprehensive planning not only in Kenosha County but throughout the State.

Goals as stated in the Comprehensive Plan are broad and general expressions of a community's aspirations towards the planning effort. Goals tend to be the ends rather than the means.

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Objectives are more specific targets derived from goals and necessary to achieve those goals. They're still quite general in nature. The policies are rules or courses of action necessary to achieve the goals and objectives from which they are derived. And programs are a system of projects or services necessary to achieve the plan goals, objectives and policies. Again, as we go through this on a countywide basis, we have to keep that in mind. We will be looking at this much more specifically as it pertains just to Pleasant Prairie next year.

Again, the first section was population and household projections. The projection of future population, household and employment levels is essential in order to complete a Comprehensive Plan. The future demand for land, housing, transportation facilities and services, utilities and other community facilities depends directly on those factors. Now, the population projections assumed a modest increase in fertility rates and a modest improvement in life expectancy for Kenosha County and the region overall.

At the Plan Commission meeting we had some considerable discussions regarding the population projections for the County as well as Pleasant Prairie in particular. And the staff and in talking with the Administrator we had some concerns with respect to what type of growth scenario that was used as part of the Regional Planning Commission's evaluation of Kenosha County. And the explanation that was given to me at the Tuesday meeting was that the region first completed the region wide population growth scenario and population projections. And then they're starting to filter this down to each individual county and then to each individual municipality. So while they believe that the regional numbers will be quite accurate with respect to their projections, they didn't necessarily take into account all the recent trends that are going on with respect to various areas of Southeast Wisconsin which is the seven County area.

So the way the chapter is set up the Regional Planning Commission has population and household projections which they are projecting based on regional forecasts. In Pleasant Prairie they use that regional forecast to present and to project out population and household count. We believe that those numbers need to be adjusted based on recent trends and the planning that we've been doing and what we project is going to be happening between now and 2035. So there are different sections, charts, graphs throughout this chapter that allow for the regional population projections and household projections to be listed and trend information.

Based on what I heard at the Tuesday meeting it sounds like many of the communities in Kenosha County will be looking at putting their own trend information in and their projections in these charts. And when I spoke with SEWRPC directly they indicated that when putting together the Comprehensive Plan the trend information is going to be used as the basis for the individual plans for each individual community which will then be compiled for the Comprehensive Plan for the entire County.

So, as you can see, under the Regional Planning Commission's projections for specifically Pleasant Prairie they're showing an intermediate population projection of 26,285 by the year 2035. We're just around 20,000 right now so they're projecting just over 6,000 individual increase between now and 2035 under this scenario.

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And then there's also at the bottom of this chart it talks about the unsewered areas of Pleasant Prairie, and they're making a pretty large assumption that many of the unsewered areas will all be sewerred by 2035, and we will be adding fewer and fewer unsewered homes on the list of homes in Pleasant Prairie that will have private systems. So, again, I think there needs to be some greater explanation of this chart. We know certain areas of the Village that probably won't ever be sewerred and there is some higher density population, for example, down in Carol Beach. So we know some of those things and I would like to get a little bit more specific and an explanation in this chart for Pleasant Prairie, both here and in our own Comprehensive Plan.

Under projected age composition the SEWRPC population projections anticipate change in the age structure. The percentage of the County population 45 years and older will increase during the planning period. Let me also interject that the significance of this age projection is where our population is going and the types of services and housing and opportunities that we need to have in this community for the ever changing age composition. For those that are under 20 years it's projected to increase from about 44,939 in 2000 to 57,452 in 2035 or a 28 percent increase. Again, we're projecting to 2035.

Those age 20 to 44 it's projected to increase by about 24 percent. For those age 45 to 64 it's projected to increase by about 57 percent, and this is the entire County again. And then for those over 65 it's projected to increase by 99 percent or approximately 17,169 persons in 2000 to 34,147 in 2035. Again, the household projection information for the entire County is shown in this chart. I've highlighted Pleasant Prairie. It's identified that the average household size will be decreasing. Currently ours is at about 2.73 persons per household. it will decrease to about 2.6 as the household size starts to decrease. Again, this is the decrease of the average age is significant for the entire County.

Part 2 of this chapter, Kenosha County Visioning, Issues and Opportunities. I did explain the visioning process through the multi-jurisdictional planning committee. We are going to be re-evaluating and finalizing that coming up this January. The visioning process in putting together the vision statement used a lot of different sources in order to put together this statement including data collected and mapped, results of Countywide SWOT analysis, the County Café, the public informational meetings, the goals, objectives, principles and policies and other public comments via the comprehensive planning website and other e-mails, and the consideration of the nine comprehensive planning elements.

Following general County planning issues and opportunities were identified during the visioning process. Preserving farmland is a high opportunity, excuse me, a priority among residents. A strong desire to preserve and enhance community character including those of neighborhoods and downtowns. Diversification of the economy and providing future jobs and opportunities for Kenosha youth. Maintaining a quality educational system. Developing alternative energy sources such as wind and solar power and bio-fuels. A common theme expressed by participants during the visioning process was a need to provide a wide range of housing types and choices. The ability of adjacent communities and different levels of government to work together is a very important concern that was raised just about every meeting that I was at and the importance of intergovernmental cooperation in order to keep us strong as a County.

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Another was results from the visioning process included that the loss of natural resources due to development is a threat to Kenosha County and we need to continue to develop and enhance our greenways, our trails, and to focus on the strengths such as Lake Michigan and our other lakes and parks throughout the County.

Concerns about anticipated growth and development came out with respect to the visioning process, and a common theme was to concentrate urban development within the planned urban service areas and to examine infrastructure in downtown areas. Another was the development and enhancement of recreation and cultural opportunities which is important to Kenosha County. I had actually made some suggestions to the County's visioning statement to make sure that cultural and recreational amenities and the promotion of those features should be mentioned in the visioning statement. Very important to Kenosha as well as Pleasant Prairie and some of the western communities in Kenosha County.

Another concept was improving transit services and accessibility in providing a variety of transportation choices. And decisions regarding growth and development by local and County governments must take into account costs and impacts on utilities and community facilities prior to development.

The third part of the chapter talks about the goals and objectives. The goals which follow in this element are goals that define the quality of life aspects in the County by addressing the previously listed general planning issues. The goals provide the framework within which specific element goals were developed for the other plan elements. Because they're intended to be general rather than specific no policies or programs are associated with them in this chapter but will be presented in the next chapter. And the overall County goals and objectives listed in order were developed by the committee using the same information as previously discussed.

Preserve and enhance Kenosha County's natural resources. Preserve and enhance the natural historic and cultural character. Encourage sustainable development. Encourage a balance and sustainable allocation of space. Promote range of affordable housing choices and improve transportation infrastructure. Again, these are all Countywide goals that actually we could actually look at specifically in Pleasant Prairie and each of the communities could look inward to their own communities.

Maintain and enhance the existing level of public services. Support and encourage sustainable energy options. Identify and encourage desirable, sustainable businesses. Attract and retain jobs. Identify economic and educational opportunities. Encourage intergovernmental cooperation. Ensure that the planning document is a living document and it's being used throughout the community.

Those specifically were the goals. And in the chapter, I just wanted to highlight for you, is we then went through and started to list very specific policies as well as programs, again, for Kenosha County as a whole. What we would like to be able to do is, and what they have allowed us to do, is come back to each of the individual municipalities and look at these more specifically to see if we could add any additional programs or policies or objectives to the goals that have been stated by SEWRPC and as part of the committee plan.

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The other things that I'd like to just point out to you in this chapter, one is that the Kenosha County Café results were included in the back similar to what we did with respect to our newsletter that we put together for our Pleasant Prairie Café. And then some of the SWOT analysis and some of the other results with respect to the analysis we've done for the visioning. Then there's also some charts and graphs that relate to the population and household projections as put together by SEWRPC.

So, with that, this is the issues and opportunities element. If the Village Board has any other concerns or questions or comments. Again, I think that the Plan Commissioners' concerns were addressed in that we will be able to introduce and present information specific to Pleasant Prairie for the County to be using as part of the overall Comprehensive Plan and for the projections for that plan.

Mike Serpe:

That would have been my question, Jean. Prior to Wisconsin Energy forming the holding company that created WisPark, prior to 1989, I don't know that anybody would have predicted Pleasant Prairie to be where we're at today in the year 2007. Maybe I'm wrong in that statement, but without WisPark I think Pleasant Prairie would have been probably primarily farming as it was prior to 1989. So to hear that this will be revisited and added to and corrected as we go on that's good because I have to agree the population projections are nowhere near where they should be and who knows what the future is going to bring as far as growth and industrial growth and commercial development in this area.

Clyde Allen:

Do we need a motion to accept?

Jean Werbie:

Yes.

Clyde Allen:

I make a motion to accept Chapter VII.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Clyde, second by Monica. Further discussion?

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Steve Kumorkiewicz:

Just one comment, John. Looking at figure number VII-1, actual and projected population, it's hard to believe that the projected population is just a little increased. To me that's not even logical. I'm surprised by SEWRPC'S projections in 1974 were very valid through the years. So that's part of the same as Mike my concern with that. I hope it's going to be rectified properly.

John Steinbrink:

Mike, you mentioned WisPark but I think if you look back and you compare us to some other communities out there that have really grown rapidly or added growth in their community, I think we can thank the past boards, the staff and the citizens of the community for the direction they took our community, because we've done things here that haven't been done by other communities and the results definitely show when we look around us. So I think even if there wasn't a WisPark here I think the way we're structure, the way the participation in the community is to make sure that we keep a quality community that all shows. But we were very fortunate to have the input from WisPark and a lot of that goes to people that were visionaries in the past that set up this, holding company to bring this in and to kind of turn around the economy in Kenosha County. Without that I think the whole County's structure would be different today. Other comments or questions?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND REVIEW AND ACCEPT CHAPTER VII, "ISSUES AND OPPORTUNITIES ELEMENT" OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR KENOSHA COUNTY; SECONDED BY YUHAS; MOTION CARRIED 5-0.

C. Consider the Development Agreement between the Village of Pleasant Prairie and BFU-II, LLC for the proposed Condominium Development known as Springbrook Place located at 91st Street and 22nd Avenue in Tax Increment District #4.

Mike Pollocoff:

Mr. President, I'll have Jean and Rocco Vita discuss the development agreement and the issues that are in there. Back at our last Board meeting we talked about two issues. Back at the last Board meeting we talked about two specific issues. One was the 20 percent occupancy by the—would be rentals, and then we also as a staff we were working on the extent to which the life of the TIF was going to extend forward. So we have had subsequent meetings with the developer. Jean and Rocco have been working on that, so I'd like to have them go through the agreement, highlight the differences—in your packets those are highlighted in yellow and go through those comments. I think there still may be, and I'll leave that up to Jean and Rocco, some minor details to work out, but I think we've reached substantial completion on the agreement as a whole.

Jean Werbie:

First I'd like to begin by saying that we will be bringing forth two agreements to the Village Board. This is the first agreement that addresses the Tax Increment Finance District. And it

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presents the fact that we will be presenting a final condominium plat and we'll be working through that process, and a supplemental or secondary development agreement will be considered by the Board in about two weeks for the condominium portion of the development. So this is the first of two development agreements for this particular project and this addresses the TID District.

There were a few outstanding issues as of the mid last week with the developer that we needed to work through, and as Mike said that there were still issues at the last Board meeting. So we have worked through all of those issues and they are highlighted in yellow so that's why they jump out in this agreement to you. A couple of them was, and the first of which is one that's going to be addressed in the condominium declarations and will be addressed in the subsequent development agreement and is in this agreement as well, and that is that 80 percent of the units will remain as owner occupied and up to 20 percent would be able to be rental units. We clarified that that this would be for the total number of units that are proposed in the development which is 28, and so at any point in time he could have up to 20 percent that would be rental. The rest would have to be owner occupied. So, again, that is clarified here and it's actually going to appear in a couple of other places as well and even in more detail as we get to the next development agreement and the condominium declarations.

There was some question with respect to the retainage of the 15 percent warranty. We worked through all of those issues and that is more clearly explained in the development agreement. We worked through also the draw down procedure and possibly Rocco can address some of those points. We actually did get a little bit of tweaking from the attorney today, and I believe that those last comments that were made by our attorney that there would not be an issue with the developer or his attorney, but we did need to do a little bit more tweaking with respect to that.

There was some clarification with respect to the fees and they have, in fact, paid some of those fees initially and some of those fees will be set forth in the letter of credit that's being posted by the developer. The developer has also submitted the remediation plan as well as the razing permit and all of those documents are now in house as well. I'm not sure if there were other specific questions otherwise I'll have Rocco talk about the bond process or procedure as part of this agreement.

Mike Pollocoff:

Rocco, if you talk about that, but also the other issue that we were focused on our last meeting was modifying the build out of the development. Before we had two units one year and two units I believe the second year, and we changed that in order to address their concerns to help us create that 80 percent owner occupied. Rocco?

Rocco Vita:

One of the concerns in this real estate market and with the development process of that property, as the original project plan is adjusted and when we entered into this process early on we were indicating on planning on constructing two buildings in each of the first two years which would get a certain amount of value on line relatively quickly and the increment then begin paying off the bonds in other words, in effect, cutting into the amount of interest that the TID would be

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paying. The developer had a concern about his ability to construct and market and sell these units in a timely fashion as the pro forma suggested. So what we did is we retained the interest rate as in the project plan and made an allowance for the ability to construct one building per year for each of the years, seven units per year, but we implemented a backstop to the bond process in which the TID would dissolve after a 20 year period. So effectively it provides him the capability in a slow market if that were to be the case to construct buildings one at a time on an annual basis, or if the market is robust enough to improve them in a faster fashion.

Associated with that was the type of bond. Before we referred to it as a developer bond, but for more specific we decided to get more specific and we're calling in a developer draw down bond where the Village will authorize payments of the bond on an as needed basis as shown by the developer in his progress in implementing the development. So as time goes forth—and most of this bond, the \$715,365 maximum of the bond will for the most part be used before June or July of 2008. But as this cleanup process and as the demolition process goes forward, the developer will provide the Village specific criteria, invoices and documentations, as to the actual cost and the Village will authorize the delivery of the bonds in an incremental draw down fashion rather than a lump sum up front.

Mike Pollocoff:

And, again, those bonds are retired by the increments that are generated down the road. As Rocco indicated, one of the increments don't come in as fast if the developer chooses to build the buildings slowly over four years, if the principal is not completely repaid that's 20 years and that money is lost. If the market takes off and does really well the developer has the opportunity to get it paid off sooner, everybody is ahead and he's okay. So the mere fact that we're saying that the buildings can be started over one a year doesn't mean that they're required to start it that way. If the market warrants earlier starts they have the flexibility to do that limiting their exposure. But we felt it was important to put a fixed limit on the amount of years the TIF would say out there. The district is allowed to go 27 years. I believe it's 27.

Rocco Vita:

That's correct.

Mike Pollocoff:

But that doesn't mean it needs to go out there. This is not an industrial project. This is a redevelopment project of a blighted area. It's residential. Twenty years we believe is a reasonable limit on a cost benefit for what the community receives. So we would go no longer than that.

Rocco Vita:

I think the thing to keep in mind is a most probable development plan would be building one building the first year. It would be difficult to get two up in the first year. Most likely two will be constructed the second year and one in the fourth. But the other thing to keep in mind is that

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through the TID process the developer is reimbursed only the amount of the increments regardless of how well or what the economy is like. There is a limit to the value of these buildings and there are constraints up front how fast they can develop or how slow they need to be developed. But once they're fully developed the increment is the increment and there is no other money that's going to be forwarded to him, only the increment or only the taxes generated by the increment.

Mike Serpe:

Compared to where we were a couple weeks ago and to where we're at tonight whoever gets the credit for this nice piece of work, and the developer is obviously on board with this.

Mike Pollocoff:

Jean and Rocco did a good job of working this thing through along with the developer and Jonah Hetland from his staff. Everybody found a way to make this thing work. From their standpoint they're making the investment and from the public side the Village is protected and we're eliminating a significant blight.

Mike Serpe:

Nice piece of work Jean and Rocco both and, Mike, I'm sure you had your hand in there as well.

Mike Pollocoff:

So we'd be looking for a motion to approve the development agreement between the Village of Pleasant Prairie and BFU-II.

Steve Kumorkiewicz:

So moved.

Clyde Allen:

Second.

John Steinbrink:

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

Steve Kumorkiewicz:

I'm glad it's moving ahead.

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John Steinbrink:

I think it's important we get that cleaned up over there.

Steve Kumorkiewicz:

Definitely.

Clyde Allen:

I actually thought 17 years for the TID originally was a little aggressive anyway, so I think this really worked out well. I'm happy it moved to the 20 and it will get done properly.

John Steinbrink:

We have a motion and we have a second.

KUMORKIEWICZ MOVED TO APPROVE THE DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF PLEASANT PRAIRIE AND BFU-II, LLC FOR THE PROPOSED CONDOMINIUM DEVELOPMENT KNOWN AS SPRINGBROOK PLACE LOCATED AT 91ST STREET AND 22ND AVENUE IN TAX INCREMENT DISTRICT #4; SECONDED BY ALLEN; MOTION CARRIED 5-0.

D. Consider Resolution #07-91 to approve an extension of the approval of the Final Plat, Engineering Plans, Development Agreement and related documents for the first stage of the Courts of Kensington Development generally located east of 63rd Avenue and north of STH 165.

Jean Werbie:

Mr. President and members of the Board, you have before you Resolution 07-91, and this is a resolution to actually reconsider the final plat, engineering plans and development agreement and related documents for the Courts of Kensington project. As you know, the Courts of Kensington project is proposed to be located north of Highway 165 at about 62nd Avenue. This is a project that was before you in early November, and most if not all of our closing documents were all in order along with the commitments from the bank to move forward on this project. But the developer ran into a snag and I see that he is in the audience, and if you'd like to hear from him he is requesting a 90-day extension in order to put the financing in order for this development. As you know we are experiencing a somewhat soft real estate market at this time making it very difficult for some projects to move forward. I'm not sure if Mr. Stanich has any comments or if he'd like to be able to address the Board.

John Steinbrink:

Any comments, Mr. Stanich?

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Doug Stanich:

Yes, a few. Doug Stanich, 9110 Prairie Village Drive. We just needed just a little additional time in order to get the final process completed, and within that 90-day structure it will be more than possible. So I appreciate whatever you can do.

John Steinbrink:

Okay, thank you.

Mike Serpe:

I think that's a reasonable request by Mr. Stanich and I'd move approval of Resolution 07-91.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Mike, second by Monica of adoption of Resolution 07-91. Further discussion on this item?

SERPE MOVED TO ADOPT RESOLUTION #07-91 TO APPROVE A 90 DAY-EXTENSION OF THE APPROVAL OF THE FINAL PLAT, ENGINEERING PLANS, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR THE FIRST STAGE OF THE COURTS OF KENSINGTON DEVELOPMENT GENERALLY LOCATED EAST OF 63RD AVENUE AND NORTH OF STH 165; SECONDED BY YUHAS; MOTION CARRIED 5-0.

- E. Consider Resolution #07-89 - Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for the Construction of Sanitary Sewer Improvements on Bain Station Road, East of CTH C, 1750 feet to the Ashbury Creek Development.**

Mike Pollocoff:

Mr. President, this resolution allows the Village to conduct a special assessment hearing to levy a special assessment for sanitary sewer along Bain Station Road. This special assessment is in conjunction with the Ashbury Creek Development where they're entitled to right of recovery for special assessments on that project. This resolution is rescinding Resolution 07-12 that we had adopted in March. The project was completed before the final could be adopted. And as such after that time the project numbers had changed and actually had gone down. So we need to modify that original resolution and adopt this to conduct the hearing to levy the special assessment. As such, I'd recommend that Resolution 07-89 be adopted and a hearing be set for four weeks from tonight.

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Steve Kumorkiewicz:

So moved.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica for adoption of Resolution 07-89. Four weeks, Mike, you said?

Mike Pollocoff:

Yes.

John Steinbrink:

Comment or question?

KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #07-89 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS FOR THE CONSTRUCTION OF SANITARY SEWER IMPROVEMENTS ON BAIN STATION ROAD, EAST OF CTH C, 1750 FEET TO THE ASHBURY CREEK DEVELOPMENT; SECONDED BY YUHAS; MOTION CARRIED 5-0.

F. Consider Resolution #07-90 - Resolution Authorizing Audio Recordings of Open Meetings recorded at the Village Hall to be posted to the Village's Website.

Mike Pollocoff:

Mr. President, this resolution provide I guess the impetus for the Village to place the audio recordings that are used to record this meeting and every other Commission meeting with the exception of the Police and Fire Commission onto the website. Recently with the modifications, really it's not a modification because it's the same place, but we redid the—we insulated the roof deck and the walls, and as we insulated that roof deck we put in a conduit to improve the speaker system, and our IT staff made some minor improvements to the audio system.

We use this in the recordings to develop a record of the meeting. What this resolution is doing is authorizing and setting forth a policy for the Village meetings that are conducted in this room to have those recordings within at least a two day period at the longest be placed up on the website so people can access them from the web and listen to the meeting in a digital format.

The staff will still contract out to have the minutes transcribed from the recordings and people are welcome to follow along the minutes from the recording. But one thing that everybody has to

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keep in mind is that the minutes that are transcribed are the official document of the Village for a couple reasons. One is it's the progression of the meeting. As we all know we sit here at the Board meeting, people want to speak. The President acknowledges who has the floor, that person speaks, and then there's a subsequent vote or motion taken and votes are held and that is the official record. That's the record that's adopted. Does that always reflect everything that happens at a meeting? No, it doesn't. If there's someone talking out of order, if there's somebody that says something that wasn't acknowledged or addressed from the Chair, those are not comments. No one loses their right to the floor when they're speaking based on someone else talking, someone from the audience making a comment, someone from the staff making a comment. So sometimes the—and as you review the minutes every Board and Commission that's their opportunity to take a look and say is this what I said?

So when people listen to the recordings there are almost always, not always, but there's going to be a lot of times they're different. And maybe they will be more different if there's times that a subject gets a little more exciting and people might be saying something either from the floor or there's a lot of discussion going on. But from the Robert's Rules the only people that are part of the record are those that have been acknowledged and have the floor to make a statement. That's what the minutes reflect. If people want to hear that as well as anything else that was said that's what you would hear on the recording.

I believe this really—maybe it's a minor movement towards getting everything on, and I think in listening to them generally if everybody is speaking in the mic whether they're staff or citizens or boards or commissions, generally everything can be heard. I think it's a good step. The minutes are not adopted until they've been transcribed. Pleasant Prairie goes farther than most communities to provide a transcription of what is at the meeting. What the Village is required to do, what any community government is required to do, is provide a listing of who answered the roll, that the meeting was called to order, and then the item that's going to be heard, the motions and the vote. That's typically what minutes are. Pleasant Prairie has had a history of providing as much information as we could in the minutes. I think we go far beyond—I know we go far beyond what we're legally required to do but we've done it in the interest of getting information out. We contract out that service. Because it is lengthy, the minute that we approve typically are 30, 40 pages front and back, and sometimes they're 100 pages front and back. But it's a good tool for the Village, it's a good tool for the public to use when they want to go back and read what happens. I think we should continue to do that.

Right now I haven't recommended to the Board that we expend the funds necessary to set up video recording at the Village Hall. We have a whole list of expenses that are important to the community and my recommendation and the Board has concurred with in the past that until we do some other things that we do not spend additional money to take and record the meetings. That being said, my thought and my recommendation is this is not the School Board and it's not the County Board. There is a lot of visual information, whether it's plats and things like that that need to be inserted into the record to make some sense. I believe even when people listen to the meeting on audio or sometimes when you read the minutes without having a plat or a plan or something to look at it's a little bit difficult.

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One of the other things we're working towards is getting the website set up to take the links to get the agenda packet up as well. So maybe once that's up and you have the audio you can follow along and we'll get there. But I believe this is a good step. If people don't have the website we'll have some discs here for a period of time for them to come in and check out, or if they can find somebody that does have access to the web they'll be able to get it or you can get it at the Kenosha County Library as well.

Our plan is we'll do this with this meeting. It's not just a matter of flipping a switch. Actually the IT department does some work to make that happen and they'll have that typically the next day but we've given ourselves two days in order for that to happen. The written minutes, again, could be two weeks to a month depending on the service and how much they have going for us. Again, I'm recommending we do this for all meetings with the exception of the Police and Fire Commission. The only reason I'm not recommending Police and Fire Commission is because they don't meet here. They meet over at the Roger Prange Center and they're not set up for digital recording. And a good part of the business they do is personnel interviews and discipline, and there's very little discipline we've had, but the interviews are in executive session and it wouldn't be my recommendation that we place those on the website and have them meet over here. Outside of that every other Commission meets in here and all those Commissions would have their audio minutes brought up on the website and people can listen to those, as well as those minutes are transcribed by the transcription service.

There may be some differences between the two but there are supposed to be and there always is based on how a meeting goes and from whatever body there is. There is a specific section and the League has analyzed it and I believe they've looked at it with the Attorney General's office is the recording is the tool for the transcription of the minutes because not everything that's said at a meeting belongs in the minutes. There's things that happen out of order that should not be in the minutes. If it's out of order it's out of order and it shouldn't be in the official minutes. If there's any questions I'd be glad to answer that, but my recommendation would be we adopt Resolution 07-90.

Monica Yuhas:

I have one question. Being a member of the School Commission, that's somewhat of a different Commission than Parks, Rec. We don't do audio. Our minutes are not transcribed. Is that something you want us to start doing?

Mike Pollocoff:

I thought School Commission was meeting in the executive conference room so there's no recording equipment set up in there. That would be the other Commission. That's more of a—that Commission doesn't make any recommendations or actions to the Board typically. That would be the Board's discretion if they wanted to exclude that one from the—in fact, the School Commission I don't think even has a website or an address on the web page if I'm not mistaken.

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Monica Yuhas:

We have a link and our members are on there.

Mike Pollocoff:

Okay, alright, so it could be on there if you wanted it to.

Monica Yuhas:

I would just like that clarified.

Steve Kumorkiewicz:

Actually our meetings are recorded by the Secretary who is a member of the Commission. Actually they're in my computer in my house. So we could put them in the site no problem. But we're doing exactly what you said in the beginning. If we've got a topic to discuss there's a short comment on the issue and that was it. It's not transcribed word by word. It's a different issue. Thank you.

Mike Serpe:

Mike, do we know the cost to do this per meeting?

Mike Pollocoff:

What we're proposing for the resolution? It's minuscule. Some time by IT to come over and do it and get it done and put it up on the website so it's minor.

Mike Serpe:

Okay. Again, I'm going to state my opposition to video recording because of the expense. I'm not going to say I'm totally against it forever, but as Mike said and I said to the *Kenosha News* there are many more things that this Village needs before we expend the kind of money needed to put this Board meeting on video. But this as an alternative I think it's a good start and step in the right direction and it may lead us some day in the next number of years to a video recording of this Board meeting when we can well afford it. With that I would move approval of 07-90.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Mike, second by Monica. Further discussion on the item?

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Monica Yuhas:

I just want it clear then. School Commission will not be audio recorded, correct, or is that something that needs to be taken up by the Board.

Mike Pollocoff:

Right now the School Commission doesn't meet in here. You're meeting in the conference room and the recording equipment is set up in here and no place else.

Jane Romanowski:

It's most important as long as you have minutes.

Mike Pollocoff:

We do have minutes, yes.

John Steinbrink:

It would probably be a decision by the Commission what they wanted to do.

Steve Kumorkiewicz:

Because the minutes are usually transcribed about two to four weeks after the meeting. They are done on her own time in her own home. They are not done here.

John Steinbrink:

I believe we had a motion and a second.

SERPE MOVED TO ADOPT RESOLUTION #07-90 - RESOLUTION AUTHORIZING AUDIO RECORDINGS OF OPEN MEETINGS RECORDED AT THE VILLAGE HALL TO BE POSTED TO THE VILLAGE'S WEBSITE; SECONDED BY YUHAS; MOTION CARRIED 5-0.

G. Consent Agenda

- 1) **Approve a Letter of Credit Reduction for the Vintage Parc Development.**
- 2) **Approve a Letter of Credit Reduction for Johnson 60th Avenue Cul de Sac Development.**
- 3) **Approve a Letter of Credit Reduction for the Bain Station Crossing Development.**
- 4) **Approve 2008 Mobile Home Park Licenses.**
- 5) **Approve Appointment of Election Officials.**

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

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7. VILLAGE BOARD COMMENTS

John Steinbrink:

Wednesday there is a meeting at Mahone School, is that correct, Jean, on the I-94 corridor. So if people want to take a look at that they can head over to Mahone.

Jean Werbie:

That's correct and it starts at five o'clock. It's Thursday. Wednesday is a technical advisory before the meeting. But it is considered their public open house and public hearing so they will be taking testimony that night for anyone who has any comments they would like to get into the record as transcribers will be there to take those comments. So we wanted to make sure that anyone who has any comments that they get those on the record.

There has also been some minor changes to the Highway 50/I-94 interchange plans that affect Pleasant Prairie. In particular it modifies and removes an overpass from Pleasant Prairie to Bristol and shifts it further north into the City of Kenosha, so there have been some minor changes like that that could be significant to Pleasant Prairie. So you might want to submit those comments.

Steve Kumorkiewicz:

I'd like to make a little comment concerning John. He talked about the traffic being blocked by the railroad in 95th Street. For the last couple of weeks I have been talking with people west of County C, people there are using the Bain Station, and Bain Station really has a problem. I plan on going this week to sit over there at six o'clock on the morning because I got a report that the crews are moving the train just enough to block to the traffic, stay over there, look at the people, and move it back. I want to confirm this because this to me is an intimidation to the people. So I want to check on that one of these days. It can be any day of the week. People who use the route are complaining that they've got to sit for 15 or 20 minutes and the trains move back and forth blocking Bain Station for 20 minutes or half an hour. So that's one issue I want to check myself.

John Steinbrink:

As we stated earlier we will be meeting with the Rail Commissioner this week, Mike?

Mike Pollocoff:

Yes.

John Steinbrink:

And we will discuss that item among other items with them. Dealing with the railroads is not always the easiest issue around. You can see how long it took to repair the tracks on Highway 31

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but we did get it done. We have the issue of closing of Bain Station Road and seeing the results on Somers and what they did. We may be looking forward to a letter campaign to the Governor's office to make sure that everybody's voice is heard and the railroads understand the importance of keeping that road open. Other comments or questions?

8. ADJOURNMENT

ALLEN MOVED TO ADJOURN THE MEETING; SECONDED BY YUHAS; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7:45 P.M.