

**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
June 4, 2007
5:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, June 4, 2007. Meeting called to order at 5:30 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Steve Kumorkiewicz, Clyde Allen and Mike Serpe. Also present were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; and Jane Romanowski, Village Clerk.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDER ENTERING INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1)(G) WIS. STATS. TO CONFER WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.**

Mike Pollocoff:

Mr. President, I'd request that we enter into Executive Session with Attorney Godin, including myself and the Village Clerk, Jane Romanowski, and Rocco Vita, the Village Assessor.

John Steinbrink:

We need a roll call vote.

SERPE MOVED TO ENTER INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1)(G) WIS. STATS; SECONDED BY KUMORKIEWICZ; ROLL CALL VOTE – STEINBRINK – YES; YUHAS – YES; KUMORKIEWICZ – YES; ALLEN – YES; SERPE – YES; MOTION CARRIED 5-0.

John Steinbrink:

The Board will continue on Item 5 and return to open session at 6:30. No other business will be conducted and we will return at that time to pick up with Item 6, Citizen Comments.

5. **RETURN TO OPEN SESSION AT 6:30 P.M.**

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SERPE MOVED TO RETURN TO OPEN SESSION; SECONDED BY KUMORKIEWICZ; ROLL CALL VOTE – STEINBRINK – YES; YUHAS – YES; KUMORKIEWICZ – YES; ALLEN – YES; SERPE – YES; MOTION CARRIED 5-0.

6. CITIZEN COMMENTS

John Steinbrink:

The Board has under Item 5 voted to return to open session. That moves us onto Item 6, citizen comments.

Emory Patterson:

My name is Emory Patterson. I have a home at 11885 25th Court. I have some photos to distribute. The photos are in regards to a home at 11839 26th Avenue. In December of '06 I filed a complaint about the debris, the garbage, the upkeep of this home. I was sent a letter that he was given 30 days to comply with the Village zoning rules. Nothing happened. There was going to be a fine of \$600 and some odd dollars per day enforced if he did not clean up his yard.

On April 23rd, which is three of the photos there, I went into the Village again and spoke to Peggy. Peggy informed me that there was nothing the Village could do, that if they enforced the penalty the courts would throw it out and it was unenforceable, and that the Village was working closely with him to get his property cleaned up by May. The last three photos are photos taken today. They don't look much different from the ones of April 23rd or from December of last year.

I'm at my wit's end with this home. I can't understand why something can't be done. Or, can a fence be put up along 119th Street to shield this out? There has to be some solution. We all follow rules in this Village and I think this guy should actually have to follow the rules also. I know I don't like him being one my neighbors, and I'm sure nobody up on the Board would want to be his neighbor.

Another topic, we were here in February and I'm here on behalf of the homeowners for Tobin Woods Subdivision in regards to the roads. We've been given many excuses. We were told that 50 percent of the homes had to be hooked up to sewer and water before we could even have roads. We were told that the roads in the Village there's no paving done before June 15th. In February we were assured that by June 15th we would see roads going in. We received a letter from Jean last week stating that the roads had been delayed and they needed signatures from homeowners, they need bids from contractors. And I just wonder are there more excuses to come or are we going to get roads in there?

We've all been very patient in that subdivision. We pay taxes. I had hoped that we could get something done in there and done soon. I would think there was an original subdivision plan that could have been followed without having to redo everything at this point to try to hurry and put the roads in. Or, if that was going to be the case why wasn't this process started long ago? Thank you.

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John Steinbrink:

Thank you.

Donald Hackbarth:

Don Hackbarth, 4311 104th Street, Pleasant Prairie. Members of the Board, President Steinbrink, Mr. Pollocoff. I see Jean isn't here tonight but staff members as well. I appreciate the opportunity to speak to you tonight. I'm asked every once in a while, and I used to be asked more but not so much anymore, but I used to be asked to do a lot of speaking engagement in regard to family life issues because that's where my Doctorate is. So I am asked every once in a while to do speeches in regard to family life and issues that affect the family.

When I go out to speak sometimes people ask me, and I have a canned speech that I give on the purpose and meaning of life. When I do that and I give that speech, what I'll do is I begin my talk with the people and I'll ask them a question. I'll ask them to write down an answer what is your greatest passion in life? What are you passionate about? Taking away their job and taking away their family what are you passionate about in life? A couple of responses of the many that I get once in a while, a couple of the responses one person that they were passionate about painting. Another person said that they were passionate about gardening. Another person said they were passionate about golfing.

Then I ask them, okay, if that is your passion in life what can you do to share that passion with other people, because if you have a passion in life and it's only your little realm, that's called selfishness. You need to share what you're passionate about in life. One of the painters, an artist, said to me or wrote down that she after hearing what we talked about said she would become a person who would buy extra supplies and easels and whatever, and what she would do is teach young children art and then teach them how to paint. The gardener told me that she would grow vegetables, and even though she admired her garden and even though she cared about the vegetables she grew and kept them for herself, she said she decided that she would try one year to just grow them and give them to a food pantry.

The golfer told me afterwards after thinking about what we said and discussed that rather than just go out and have fun golfing he said he would put something together where he would have a golf outing. He'd charge \$50 for every one of his friends or whoever it was, and he had thought because I guess one of his relatives or friends had a little boy with cancer and he said what they would do is try to raise money to get that little child down to Disneyland. The reason I say this thing tonight is I want people to discover their passion when I talk to them in life, and then I want them to discover how they could use that passion to help other people as they begin to discover his or her own meaning or purpose in life. The point is, if you received you need to either share or give.

I believe everybody on this Board knows my passion. It's certainly my wife and children and my family and my work. I would like to show you some . . . those pictures were taken of the plot of land that we live on in 1980 or something like that. You'll see a comparison of 1980 or '81 or something in there versus what it is today. I went out this afternoon and I tried to duplicate the

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very shots that are there, and I'm hoping that what you see there as you look at them is a comparison between somebody who is passionate about trees and what I have done with it over the last—we've probably planted a couple hundred trees. I think Augie probably understands it because our property is filled with trees. In fact, when I came to the congregation the east side of the driveway was weeds, bullrush, everything you could think of was on that side. And that summer we continually started to cut it down and then we began to start planting trees. So some of those trees right now are probably 20 years old and the work still continues because I believe it is so imperative and important to plant trees.

The *Tribune* had an article a couple weeks ago and it talked about what are the six things you can do to be green or to help the planet or to reduce greenhouse gasses or to reduce our dependency upon foreign oil. One of the things was buy yourself a flashlight that you crank for sixty second and it lasts for an hour. That way you're not buying batteries and whatever. The last one or the sixth one was plant a tree because they said a tree sucks up all the bad stuff in the environment and it actually helps us clean up the environment itself.

Like I say we started planting as soon as we got there. The first page you've got there is actually a chart that's on the wall in the hallway of the church and it shows some of the trees that were planted. Probably in the time I've been there probably a couple hundred or more trees that were planted. Some of them died. They do that.

So I'm saying that my passion is trees. It has led me to promote trees and you know that because when I sit on the Plan Commission that issue will come up and I'm very adamant about it. I don't want to be argumentative about it but I'm adamant about it that we need to be planting trees but especially need to be preserving old hardwood trees in the community. I will always be the conscience of the Plan Commission. I don't know if I'm the conscience of this Board tonight but I wanted to express myself and just take a few minutes to say it, and I need to be among people who share my passion for trees.

I want to conclude this by saying I wrote an e-mail to you, Mike, and I also wrote a letter to Jean, and in that letter I said that when I die I will refused to have any flower set in my church. No flowers at all. They die. What I'm asking people to do when I die is they go out and buy a tree. I want that church when my casket is sitting up in front I want that church to become a forest inside and out. I want them to bring a potted tree. And then after I'm buried I want them to take those trees out and plant them in their backyard, their front yard, wherever they want to plant it. And then when they get up in the morning and go to work or whenever they go in the backyard to swim and they look over at that tree they'll look at that tree and they'll remember me and my passion for trees. I pray that God gives me the people that I can walk with who love trees, and with that I just wanted to say thank you for giving me the opportunity to express my passion. Thank you.

Augie Shepker:

A hard act to follow. We share the trees. Augie Shepker, 4201 14th Street. I might be on the wrong subject here. It's not on the agenda here tonight, but it's relative to publication on May 28th about the property on 91st and 22nd Avenue. But I object to the Village proposal to declare

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this property at 91st and 22nd blighted and to make another bond debt for the razing of the buildings and to clean up the pollution. And I object to creating a TIF District for that property. This is all for the benefit of a private business, mainly Mills Enterprise. Property owners are responsible for cleaning up the pollution because I know about that, and they're responsible for razing any buildings. The Village taxpayers do not need another bond to pay for, and the TIF District will only delay the tax monies for many years for the benefit of the Villagers. So, again, the Village should not assist private business to build condos for their profit at the expense of taxpayers.

I have two other little items. I want an explanation on why our sewer bills have increased 23 percent from January 1. I was in business from a long time ago. I know profit and I know expenses. Everything goes up. But in business we use a lot of percentages. Nothing goes up 23 percent. I'd like an explanation of that.

And then one more thing, several meetings ago, and I think the last time was last summer, Mr. Steinbrink you said you were going to do something with the railroad people about fixing the crossing on Green Bay Road. It's going to be a safety issue pretty soon. People are slowing down and slamming on their brakes. There are muffler pieces laying around. It's going to be a safety issue pretty soon, and I think that has gone way too long to get repaired. Thank you.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? Anyone else? Hearing none, I'll close citizen comments.

7. VILLAGE BOARD COMMENT

John Steinbrink:

Just to respond to Mr. Shepker, Mr. Pollocoff and I met in February with the Railroad Commissioner from the State of Wisconsin, took him out to the site on Highway 31, showed him the track, showed him the hubcaps, showed him the tailpipe pieces. Unfortunately that is railroad property. We're not allowed to fix it. The County is very dilemma-ized or whatever you want to call it on how to fix it. I spoke with them the other day and they're waiting for a response. We did get response from the railroad saying it would be fixed in a series of projects they're doing and it would be after the KR project I believe and it's on their schedule. So everybody that we can possibly think of is aware of it. We've had commitment from them to do it at that time. A little secret if you go just a little bit off of center instead of the traffic path it will be a lot smoother. Any other comments?

Mike Pollocoff:

With respect to Mr. Patterson's comments on the property on 119th Street, I'll take a look at that and we'll get a response back to you where we are with that. With respect to Tobin Woods for roads, the Tobin Woods development as the development agreement was structured had two courses of action for their storm water. One was to drain the water to the east into the Lighthouse

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Pointe Development, and that was predicated on the developers from both subdivisions getting together and coming to some agreement as to what the cost would be for Tobin Woods to put additional water into Lighthouse Pointe. As part of that development agreement the Village anticipated that there was likelihood that development between the two developers that agreement might not happen. So we had placed within that development agreement provision that if it didn't happen by the end of the year, 2006, that the Tobin Woods development would have to dedicate one of their existing lots as a permanent basin and that's where the storm water would go.

We filed a breach notice on the developer in January, but realistically that was a time they had all the time up to that point to do something because you can't construct in the dead of winter. We've since used the funds on the deposit and their letter of credit to contract with an engineer, have the new basin be designed and finish the storm sewer work that leads up to that basin. Once that underground work is done then the paving takes place. Paving could take place normally by June 15th, but as long as there's underground work to be done that needs to happen first. I still believe they'll be able to pave this summer, but we are going to need if the paving is to proceed this year everyone from that development to agree to the outlot that's going to be used for detention.

In the design there's still provision for that storm water to run to the west into Lighthouse Pointe at a future point, but we're not going to require that developer at the Lighthouse Pointe Development doesn't have to take that water. But if an agreement can be reached the storm sewers are situated and designed such that the basin could be eliminated and the storm water would go to the west. At that point the developer would have the opportunity to sell the lot that was a detention basin. But right now the designs that we're looking we're assuming that basin will be there forever. Once that work is completed then the paving will take place. And I'd encourage the residents to sign off on that and there's not that many residents in that subdivision and it just needs an approval for that to take place.

We do have rules that pertain to how roads are paved. There has to be 50 percent of the subdivision that has to be completed, which means there's no more backhoes, no more dump trucks with stone in there because that preserves the roads for everybody in the future. And it won't be topped off until 75 percent of the homes are done that way. So we are just now at that point. So even with the problem between the two developers not being able to work on the storm sewer that subdivision couldn't have been paved this year anyway.

Any developer has the opportunity at the time they submit a plat for approval to put in granular material in the trenches for sewer and water and storm sewer which can be compacted and it will assure the people who buy those lots and the homes that are going to be subsequently put on there that the roads won't settle and they can be paved earlier. The developer receives a financial benefit by not doing that, by not having the early paving, but the down stroke is it will take longer to get paved and sometimes that makes it difficult to market the lots. But we notify everybody up front that these roads are being built in phases and that's to keep the costs down for the developer and hopefully that cost will pass along to the lots. So that's how that will happen. If there's an additional problem on it or the Board would need to take action as far as further breach we'd be bring that back to the Board for them to consider at that time. I believe reasonable people

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prevailing this project should prevail and the storm water will be handled and they'll have roads in Tobin Woods.

Emory Patterson:

Can I ask a question?

John Steinbrink:

Does it pertain to this item or is it a different item? Approach the microphone and give us your name and address for the record.

Emory Patterson:

Mike, I just wonder on the signatures do we need like at least 70 percent or do you need 100 percent?

Mike Pollocoff:

100 percent. With respect to the property on 91st Street and 22nd Avenue, the Village Board doesn't have the statutory authority to determine if that property is blighted. That's done by the Community Development Authority. The contamination from the dry cleaning establishment that was there, the work up has been done on that, the DNR knows that's there. That is the responsibility of the property owner or the person who made the original contamination. That person hasn't been able to be found. There is a dry cleaning fund that will help with some of that. The question that Mr. Mills posed before the Community Development Authority and subsequently to the Plan Commission and the Village Board is whether or not the business that's there, the building that's there, since that is blighted it's been burned and can't be rebuilt because of contamination. It hasn't been a successful business enterprise in my tenure here and I think before that it hasn't.

Would the Village entertain using an environment TIF District which is a specific law that works just like every other TIF District but for environmental cleanup to make that blight determination, create the TIF District, and the District would use the proceeds from the property taxes to pay for the cleanup of the site, not to build the condos or do anything else like that. I indicated to Mr. Mills early on that the Village was not interested in incurring additional debt or bonds. It would be my recommendation that we not do that if he wanted to do that. He as a citizen has every right to ask if the Village will create a TIF District to finance that, and if that happens and he's able to use that, the TIF increments to pay for the blight elimination.

I don't believe, and he would have to show the numbers and we haven't really started the process, that that would be a relatively quick turnaround on the improvements. It's probably about a \$250,000 or \$200,000 cost to do the cleanup. If the Village says no then he either has to do it himself or it stays the way it is. It's zoned for business and the Plan Commission still has to make a policy recommendation and the Village Board would have to make a policy decision

whether or not condominiums is the next best use of that property. So we're just in the beginning of that process.

I understand your objection to it. The only thing I want to remind you, and as I advised the Plan Commission and the Board, is I wouldn't encourage the issuance of any debt for any of the improvements on that private development. That should be something the taxpayers shouldn't bear the burden for. Mr. Mills would stand to gain and if he would just have the assistance of the TIF District if it's approved to do that. It's very early in the discussions on that. But I'm glad to have Mr. Shepker's opinion and I'd encourage you to watch over the coming two months before the Plan Commission and the Community Development Authority for consideration.

How does the sewer bill go up 23 percent? The Village is a wholesale sewer utility bar 400 customers. We do have treatment plants where we treat our own waste water. So the largest component of our sewer utility expenditures is what we pay the City of Kenosha for the cost of treating waste. They issued last year a 14 percent increase in charges to the Village of Pleasant Prairie. The City of Kenosha does not provide other than taking the waste water at that central point they don't provide any services to the Village as far as cleaning the Village mains, repairing the mains, replacing bad mains, doing anything that's integral to the operation of a sewer utility.

So that rate increase translates to 23 percent along with what the Board funded with additional capital to replace failing sewers that are currently in the sewer system. The thought was at the time either you bond out the repairs or you fund them out with rates, and the decision was made to fund it with rates rather than issuing debt. So we don't have a plan for a rate increase for our expenses. But, again, I think it's almost half of our expenses in the sewer utility is related directly to what we pay the Kenosha Water Utility for treatment as it relates to sanitary sewer. That's how you get to the 23 percent.

John Steinbrink:

Other comments or questions from the Board?

8. ADMINISTRATOR'S REPORT

9. UNFINISHED BUSINESS

John Steinbrink:

Items A and B will both remain on the table. That moves us onto Item 10.

10. NEW BUSINESS

- A. Receive Plan Commission Recommendation and Consider Resolution #07-31 to support an amendment to a portion of the Isetts Neighborhood Plan for an area generally located south of 85th Place, east of Cooper Road, north of 89th Street and west of 47th Avenue.**

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Jean Werbie:

Mr. President, as you know neighborhood plans are completed in the Village of Pleasant Prairie as a component or a refinement of our Village's Master Plan or Comprehensive Plan. They're intended to provide the Board and the Plan Commission, the staff and the audience with an early opportunity for us to evaluate the compatibility of land uses, how land uses will develop in the future when and if that land develops, how an area is going to be serviced by municipal improvements, how roadways are going to service the area, and if there's any special areas that are going to be designated for public open space areas such as parks or retention basins or other types of open space areas. Neighborhood planning is essential to the orderly growth of this community and we have embraced that concept as we move forward with our planning efforts in the Village.

The project we're talking about this evening is the Isetts Neighborhood which is generally located south of 85th Street, north of 93rd Street, west of Cooper and east of 30th Avenue. Again, this is a much larger area of the neighborhood which is about a mile square area. Specifically we are going to be focusing in on one portion of the Isetts Neighborhood Plan, and this is an area that's just north of 89th Street and west of 47th Avenue which is just west of the City of Kenosha as identified in the circle on the slide.

In 1997 there were three alternative neighborhood plans that were approved by the Plan Commission and the Village Board for this portion of the Isetts neighborhood. This particular area is an area that at one point was going to boundary adjust to the City of Kenosha in the late '80s or early '90s. So the City of Kenosha actually did a number of these neighborhood plans which we then carried over knowing that the lands would stay within the Village of Pleasant Prairie. But a number of these alternatives were looked at and approved by the Village.

In general the '97 neighborhood plan proposed to extend the existing right of ways into the area. T that time it included both 48th and 50th Avenues south from 85th Place. It includes an extension of 89th Street between Cooper Road and 47th Avenue in the City of Kenosha. In 2001 the Cooper Heights Subdivision was developed including 15 single family lots and the construction of 87th Place west from 47th Avenue. So with each subsequent development in the Village it allowed for the extension of potential municipal roadways, and in this case potential for 48th Avenue and 50th Avenues to be extended to the south.

The neighborhood plan amendment which was originally tabled by the Plan Commission on April 23rd was taken up at their last meeting on May 29th and is the one we will be presenting with some modifications to you this evening. This is the original plan that had been presented. And the revised neighborhood plan which was approved by the Plan Commission for your consideration, it identifies the extensions of 48th and 50th Avenues. It identifies eventually 47th Avenue connecting north to 85th and then south. 89th Street which would be an east/west connection between Cooper Road and 47th Avenue in the City of Kenosha. 88th Place would connect 48th and 50th Avenues. And 88th Street west of 47th Avenue in the City would not be extended west into the vacant area. So this is one departure from the previous plans that had been approved in 1997 is that there would not be a connection at 88th.

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All of the vacant land in this area of the neighborhood will not develop at one time. As you can see by the color coding on the slide, the property owner that owns the referenced area or most of the referenced area as shown in this particular phasing plan for Hawk's Grove, would like to begin by developing two lots on 87th Place just south of Cooper Heights, and then the next phase or phase 2 would be the yellowish or the greenish areas. Then the final area would be the balance of the lots. The area in gray would be the specific roadways that would be needed for the phase 2 development.

There was considerable discussion at the Plan Commission meeting with respect to this portion of the neighborhood plan and the concern as to when 89th Street would be extended as an alternative outlet when 50th Avenue is extended south to 89th. There was some concern because 48th Avenue is not in the best of shape and it does not have municipal water extended all the way through it. So there was some concern about redoing 48th Avenue at this time until such time as all the improvements are in it. It's getting to be a little bit of a rough road and it's taking on a little bit more traffic than was originally envisioned primarily because a lot of the Isetts West traffic is traveling through this area to get north on 85th Street, because the other opportunity they have to do that is way over east at 43rd Avenue. So there aren't many opportunities to go north out of that large residential area in the City of Kenosha.

So the resolution you have before you for this neighborhood plan does identify that the Hawk's Grove area is included as part of a neighborhood development. However, the conceptual plan which would be a subsequent public hearing before the Plan Commission and the Board will start to condition the plan as to how many lots can be developed before additional off site public improvements are made in order to provide access to this particular development.

This is a matter that was before the Village Plan Commission at their last meeting. It's actually been to a couple of meetings with the Plan Commission before it received approval and the Plan Commission is recommending approval of Resolution 07-31 and that is to support this amendment to the Isetts Neighborhood Plan, again, for the area south of 85th Place, east of Cooper Road, north of 89th Street and west to 47th Avenue.

Mike Serpe:

Jean, at some point there is an agreement with the City that 89th Street would be constructed from Isetts to Cooper Road, and for some reason or another that seems to have fallen apart. If 89th Street were to go to Cooper Road that would benefit the Isetts people in the City as well as the Village residents that live on 48th and in the Cooper Heights area. I mentioned this at the Plan Commission meeting and I'm going to mention it at the Board level. I think we should give a shot at setting up a meeting in the near future with the City Plan Commission and see if we can resolve that problem with 89th Street and hopefully benefit everybody in that area by punching it through.

You have to feel sorry for the people that are on 48th Avenue. That was a road that was designed in the '40s or who knows. But it's nothing more than a narrow pathway that's deteriorated. It's handling a lot of traffic. So the people that live there have a legitimate concern, and I think we as

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a Board have a legitimate concern to try and get together with the City and see if we can resolve that problem and get that thing pushed through.

I do support the Resolution, Jean, and I would move approval.

Monica Yuhas:

Second.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #07-31 TO SUPPORT AN AMENDMENT TO A PORTION OF THE ISETTS NEIGHBORHOOD PLAN FOR AN AREA GENERALLY LOCATED SOUTH OF 85TH PLACE, EAST OF COOPER ROAD, NORTH OF 89TH STREET AND WEST OF 47TH AVENUE; SECONDED BY YUHAS; MOTION CARRIED 5-0.

B. Receive Plan Commission Recommendation and Consider a Conceptual Plan for the request of Scott Simon, agent for Pleasant Prairie Ventures, LLC for property generally located at the northeast corner of STH 31 and STH165 for the proposed commercial development to be known as Main Street Market.

Jean Werbie:

Mr. President, the petitioner is requesting approval of a conceptual plan for the proposed commercial development. It's approximately 22.5 acres of property that's located at the northeast corner of Highway 31 and north of 165. The project is known as Main Street Market. As you can see on the slide, it's a composition of a number of commercial retail buildings. The developer had indicated that his desire would be to start with this project at the north and then work towards the south with respect to the various aspects of the project. In the corner is the illustration of the theme or the architecture and style that is going to be used throughout the Main Street Market.

In accordance with the Village's Comprehensive Plan this area is identified as being within the Highpoint Neighborhood Plan area. The Community Commercial designation was placed on this property back in 1996 with the adoption of the Comprehensive Plan. And we've actually been working with Mr. Simon on this particular property for about four or four and a half years. There are a number of elements that are involved in reviewing and preparing for approval of a project, and we needed to evaluate everything from the market conditions to the infrastructure to the transportation, the amount of commercial development that could be absorbed and benefit by the population and the employment in the area. So there were a number of things that we looked at. But, as I said earlier, it was critical to understand that this is, again, a refinement of our Comprehensive Plan which we had adopted on 1996.

On January 27, 2007, the Plan Commission held a public hearing and adopted a neighborhood plan for this mile and a half square area known as the Highpoint Neighborhood. This was alternative number 1 that was approved and, as you can see, Main Street Market was identified at

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that time. So we were already starting to get an early look at what this particular area could develop as once the project started to move forward.

On March 12, 2007 there was a second alternative to the Highpoint Neighborhood Plan. Nothing has changed with respect to Main Street Market with respect to either alternative, but there was a slight modification at the very north/north central of the neighborhood plan. But we just wanted to comment and make the Board aware of the fact that there are two neighborhood plans essentially the same but two for this particular area. Main Street Market is proposed to be located between Old and New Green Bay Road just north of State Highway 165. This is an aerial photograph of that particular area.

As part of the project, a new signalized intersection is to be identified at Main Street at Highway 31. This will provide a vital link between Green Bay Road which is a State highway and this commercial development. As you can see on this particular depiction of the two neighborhood plans, Highpoint being on the west and Village Green being on the east, Main Street will eventually connect the Village Green Center at 39th Avenue all the way to Highway 31 which is where Main Street Market is located and there will be a signalized intersection at the intersection at Green Bay which is also the intersection of Jelly Belly Lane.

The viability of the Main Street Market as a signature retail designation has been improved by the location of a signal at that location. The developer is going through the process of getting the TIA and other documents approved by the Wisconsin Department of Transportation. It was critical from our standpoint that there be a connection at Green Bay Road and it be a signalized intersection. Otherwise the amount of traffic and the intensity of the traffic at 165 and 31 would have been very difficult. It would have added additional lanes for turning as well as the queuing and coming up to the intersection. So it was very important that this intersection be granted by the DOT.

The Main Street Market includes 148,600 square feet of retail space that's being proposed on just under 23 acres. The retail uses at this point that they are proposing based on the market studies and their contacts out in the market include a bank, a day spa or salon, gas/convenience store, a grocery store, pharmacy, restaurant and specialty coffee as well as tenant or retail spaces of varied sizes. The Main Street Market is organized around a central entrance which is actually at, and there are two of them, but the main one is at 102nd Street which comes out of the Meadowlands development into this particular development. The approach and the design features are structured around the new urbanism approach. The streets are designed with the buildings having the leading edge close to the streets as opposed to having parking in front of the buildings other than just the parallel parking on the street. The boulevard, which comes into the development, terminates at a small plaza at the western end that will serve as an amenity for the adjacent tenants as well as pedestrians. This is not intended to be a driveable but a walkable commercial area.

The building design of Main Street Market is dominated by natural materials that reflect the prairie style character of the area. The staff worked with the architects from the developer and tried to explain the type and the character and the feel that we wanted to see at the Main Street Market. Yet, one of the things that we wanted to make sure of is that we didn't want every

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building to be completely identical but to have very similar themes carried from one building to the next. They have a number of artist renderings of several of the buildings, but I think it's important to note that they did try to carry that theme from one unique space to the other.

One of the nice things as you enter into the development from 102nd Street is that you're coming into the boulevarded entrance, and we've created seating areas or restaurants at the very end spaces so when you come into the development it's going to look like there's some activity and there's going to be some people sitting out eating or drinking or doing something out there just to get that activity and just to get that feel that it's a pedestrian friendly type of atmosphere. As you come in, you can see the umbrellas and the chairs and the tables. There will be two restaurants on either end. This is one of the main tenant buildings as you enter. There are a couple of tower elements on either side of when you come into the center, as well as on the grocery store and some of the other key features as you come into the development. This is the artist rendering of what a grocery store could look like in the site.

A TIA was prepared based on the two signalized intersections, one at Jelly Belly Lane and one at Main Street which is actually south of 165 at 108th. The new intersection is part of the Main Street concept and we feel that it's essential to this development. In addition to the intersection improvements there will be some improvements in Old Green Bay Road as well as some boulevard construction. As you can see, eventually we'd like to see per the State Highway 165 plans a roundabout at Old Green Bay Road and 165 and a roundabout at the entrance of Main Street as that starts to head east into continuation of the Highpoint neighborhood.

The Village will need to enter into special agreements, MOU's and development agreements with the developer, the DOT and any other interested parties as part of the development of the off site transportation improvements for this development. The zoning classification at the site is currently zoned residential with an APO or an ag overlay. This area will need to have a rezoning into the B-2 designation which is a Community Business designation. We're also recommending that a PUD or a Planned Unit Development Overlay be placed on this property as we get into the more detailed site and operational plans to identify where setbacks and some of the other elements that we're going to be modifying need to be worked into the project.

This is a photograph of the existing site. It was mentioned that there's a great deal of elevation or relief from one side of the site to the other. And because of that there were some existing trees around an older home that's going to be razed, and it was not possible to save those few trees. I'm not sure if you saw the previous slides, but it is their intent to completely put in street trees throughout the private road system as well as around the perimeter of this particular site as well as have landscaped islands, planters and other type of features on the site to make it look like a green development. I just previously mentioned about the two zoning map and text amendments. Those will come at a later date when we're actually working on the site and operational plans for this particular project.

A certified survey map will need to be created as there will be two parcels initially that will be created with the dedication of Main Street from Old to New Green Bay Road. Lot 1 will be north of Main Street and Lot 2 will be south of Main Street. Site and operational plan approval will be required to be followed by the developer throughout the project development. Again, the PUD

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will set forth a number of the aspects and elements and restrictive covenants from a commercial standpoint so that any subsequent building or site development project will follow the guidelines as set forth and approved by the Village.

The project time frame, the developer's desire is to begin some preliminary construction later this fall on this particular project. He would like to get some buildings under construction in the spring and possibly have some sites that are open by the fall of 2008. So with that, the petitioner is requesting approval of the conceptual plan for this commercial development known as Main Street Market on 22.5 acres north of 165 and between Old and New Green Bay Road in the Village of Pleasant Prairie.

John Steinbrink:

Thank you, Jean.

Mike Serpe:

Since this was in the paper on Saturday the amount of interest this has created is amazing. People are excited. If the news was able to put the entire complex the way we just saw it tonight the people would have really went nuts, but I understand there are constraints on space. This is a great addition to the Village, especially to this area that's being populated as we speak with homes. I'll tell you, this is a plus and win/win situation for the Village and the residents in this whole area.

Clyde Allen:

I just spent some time in Canapolis, North Carolina. It took some old buildings and took a plan similar to this and it is absolutely gorgeous. The activity around there has become booming. It's built around Duke University Medical Complex down there and it was built around that and it has drawn so much attention, so much activity and it is a true focal point for the whole City. I envision this to be terrific for us.

Steve Kumorkiewicz:

I hear a lot of comments especially about the gas station and convenience store and a grocery store. I think the idea is excellent. The location is superb. It's going to give character to the Village also. So I think based on that, unless anyone has more comments, I'm going to make a motion to adopt the conceptual plan as requested.

Monica Yuhas:

Second.

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John Steinbrink:

Motion by Steve, second by Monica. I think the important thing here is people have asked us over and over again when is something coming, and as you pointed out I think at the Plan Commission we finally reached a point where we have at least enough people living in the area to support that facility for development. Otherwise if it's not viable it's not going to last and we're not going to get the quality we want. Great job by your department in working with those folks to bring that on board. We have a motion and a second. Further discussion?

Steve Kumorkiewicz:

Yes, one comment. A lot of people were surprised it took ten years to get the project going. That's a little unusual

Jean Werbie:

Ten years is not unusual at all in a growing community.

Steve Kumorkiewicz:

For the people.

Jean Werbie:

I know, but we only have 19,000 people. We're not a community of 90,000. When there are commercial services in the City of Kenosha and other areas that are close by it takes time to build that population up to be able to service and to be able to handle this type of development.

Steve Kumorkiewicz:

Very well planned.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CONCEPTUAL PLAN FOR THE REQUEST OF SCOTT SIMON, AGENT FOR PLEASANT PRAIRIE VENTURES, LLC FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF STH 31 AND STH165 FOR THE PROPOSED COMMERCIAL DEVELOPMENT TO BE KNOWN AS MAIN STREET MARKET, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY YUHAS; MOTION CARRIED 5-0.

- C. Receive Plan Commission Recommendation and Consider Resolution #07-32 to adopt the Prairie Springs Park Natural Area Des Plaines River Planning Report, April 2007 prepared by Lori Artiomow with the Kenosha Racine Land Trust.**

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Mike Pollocoff:

Mr. President, this item has been before the Park Commission and the Plan Commission, and it provides the structure and the nature of how the Prairie Springs Park is going to be maintained and managed over the coming years in a cooperative endeavor between the Village, Kenosha Racine Land Trust, The Nature Conservancy. Prairie Springs Park a lot of people just visualize it around Lake Andrea but it's really 824 acres big. It's very large. So within the project area are the plans for how the prescribed burns are going to take place, the invasive species that we need to work on removing and how we're going to work through that process and where those areas are. It's a unique environment in the sense that when 165 went in in 1988, there was some significant wetlands that were created as an outgrowth of that project. Those are high quality wetlands that are being developed.

Part of our relationship with The Nature Conservancy is they trusted the Village to turn that land over to the Village for proper management. So we've obtained a grant from the State of Wisconsin to put this plan together so we have something between the Kenosha Racine Land Trust which is a private nonprofit group, as well as The Nature Conservancy to make sure this area develops from a wetland and prairie standpoint into the very best piece of property it can be.

So I'd recommend that the Village Board concur with the Plan Commission and adopt Resolution 07-32.

**YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION
RECOMMENDATION AND ADOPT RESOLUTION #07-32 TO ADOPT THE PRAIRIE
SPRINGS PARK NATURAL AREA DES PLAINES RIVER PLANNING REPORT, APRIL 2007
PREPARED BY LORI ARTIOMOW WITH THE KENOSHA RACINE LAND TRUST;
SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

D. Receive Plan Commission Recommendation and Consider Resolution #07-33 related to the Final Plat, Engineering Plans, Development Agreement and related documents for Devonshire Subdivision for the request of Kari Kittermaster agent for Regency Hills-Devonshire, LLC owner for 63 single-family lot subdivision located south of 93rd Street at 48th Avenue.

Jean Werbie:

Mr. President and members of the Board, the petitioner is requesting approval of the final plat, engineering plans, development agreement and related documents, and this is for the first stage of the Devonshire Subdivision. This subdivision is generally located south of 93rd Street between 48th Avenue and Cooper Road. It's located within the Village Green Neighborhood. Stage 1 of the development proposes to create 63 single family lots and four outlots. Outlot 4 will then be further subdivided in the future into 57 additional single family lots and 7 outlots, and that will be identified as part of Stage 2.

As part of the Village's Comprehensive Plan, as you know, the particular subdivision fits in nicely with the Comprehensive Plan and it also fits in nicely with the Village Green

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Neighborhood Plan. Each subsequent step of the planning process builds on a previous step, so the Comprehensive Plan is the larger picture for this particular development, and then the Village Green Neighborhood Plan, then further refined it, and then now with this particular subdivision moving through the conceptual and platting process it has been refined even further so that it fits in and joins to the existing subdivisions to the east, to the west and to the south.

The Devonshire Conceptual Plan, again, based on those previous plans was approved by the Board on July 17, 2006. The preliminary plat was approved by the Board on March 5, 2007. The entire development is just under 90 acres of land. The lots in this subdivision range in size from 15,000 to 21,593 square feet - so between one-third and about a half an acre. The average size is just over 16,000 square feet. Outlots 1, 3 through 6 and 8 are to be used for open space, wetlands and woodland preservation. Outlot 2, which is at the southern end of the development site, is proposed to be dedicated to the Village of Pleasant Prairie for the Village Green Park, and Outlots 7 and 9 are proposed to be subdivided into additional single family lots.

Overall, the net density of this development is 2.16 units per acre. Again, with respect to stage 1 they are proposing 63 single family lots. The total population projection with stage 1 is 172 persons or 40 school age children or 27 public school age children at full build out of that stage 1.

Under open space, approximately 19 acres or 62 percent of the stage 1 site will remain in open space. As you can see, we've got some large areas as part of Outlots 1, 2 and 3 that actually are nice, large, open space areas. We'll have retention as well as green space and wooded areas that are going to be preserved and protected. Wetlands on the site, a total of 7.81 acres of the site has been field delineated as wetlands. A total of .73 acre of wetlands is proposed to be filled, and this is for extensions of municipal roads such as Cooper Road, 96th and 97th, 50th Court, very small segments of roadway systems in order to accommodate that development. They received a letter from the Army Corps of Engineers that stated that they could fill these small portions of wetlands as part of this development.

There are a number of woodlands on the site. A detailed tree survey was prepared by Natural Resources Consulting. There will be some trees removed but, again, all of the trees that are within the designated Outlots 1, 2 and 3 will be protected and they will be actually planting a great deal more trees as street trees and the cul-de-sac island trees and trees on the outlot area as well. There are some trees that are in the back of lots, for example Lots 29, 30, 31 and some of the other lots that will be protected through tree preservation easements.

Parkland, the developer is dedicating Outlot 2 which is just over 8 acres to the Village of Pleasant Prairie. This includes some wetlands and some woodlands as well as a large open area, and this will be for the development of the Village Green Neighborhood Park. In addition, the developer has also offered to donate \$200,000 for park related improvements in the Village Green Neighborhood Park. Those funds will come with the development of stage 2 of this development. The land dedication is being made now.

I believe you remember that the Village Green Neighborhood Park Plan was approved by the Plan Commission and by the Park Commission back in 2006. It identified a nice neighborhood park with a ball field, tennis courts, soccer fields, a nice trail system, tot lots, shelter, parking lots,

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some nice features. This total neighborhood park area is actually very large. It's just under 25 acres, but it will serve at least two if not more neighborhoods in this particular area because of its size and its interconnecting links to the lands to the west. But the immediate neighborhoods will all benefit including the Village Green Center, Village Green Heights, Meadowdale Farms, Stonebridge, Devonshire. A number of the subdivisions in the area will benefit by a park that will be completed in the very near future due to the donations by the developers. Approximately 8 acres of other open space is located within Outlots 1 and 3 that will remain as open space. A portion of Outlots 1 and 3 will also be used for storm water retention purposes.

Site access for the stage 1 development will be from one point of connection to 93rd Street at 48th Avenue for the vehicular residential traffic. The main connection for traffic for construction will be off of 93rd Street, but there's actually going to be a point where Lot 89 north of that cul-de-sac there's going to be a temporary connection at that point. So the haul road traffic, construction traffic, will not come in at 48th Avenue but will come in through a lot and a gravel driveway and then will come and wind its way into the development. So construction traffic will not be on 48th Avenue. As you can see with the arrows, there will be a number of points of connection when the subdivision is completed for vehicular traffic to enter in and out of this particular area. We have connections through Meadowdale Estates, from Stonebridge from the south, Cooper Road through Village Green and through Stonebridge again from the west as well as from the north on Cooper and 93rd. So this area will have good access in and out throughout the development.

Municipal water, municipal sewer and storm sewer will be extended and provided throughout this development site. It will be extended from adjacent areas to service this particular development all at the developer's cost.

93rd Street roadway improvements, again, this has been discussed previously at both Plan Commission and Board meetings. There was a traffic study that was requested and completed and presented to the Plan Commission and the Board that talked about the full improvement of 93rd Street to a three lane, center turn lane in both direction and one lane in travel in each direction that will be eventually improved in this vicinity or this area when traffic warrants dictate it. In addition there will be a single lane roundabout at the intersection of Cooper Road and 93rd Street. At this point the Village has worked with the developer and the consultants to apply for some grants to the Wisconsin DOT regarding both the roundabout as well as the improvements in 93rd Street. The development agreement as well as the staff comments detail specifically how we are going to be handling the improvements, the timing and the cost for all those improvements primarily driven by the developers.

We have some interim plans for 93rd Street. Basically 93rd will remain a two lane rural roadway until the improvements are warranted. Cooper Road will remain a three-way stop until the improvements are made with the roundabout. 48th Avenue will be constructed with minimal tapers for right hand turn lanes. The existing driveways on either side of 48th Avenue will remain as is. We will re-evaluate that at such time as there is a detailed design for 93rd, but at this time those driveways will remain as they're currently located.

There will be some temporary cul-de-sacs that will need to be constructed by the developer at the termination of some of the dead ended roads. These will be on their property. They'll be gravel.

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They won't be permanent by any means. They won't have a cul-de-sac island, but they will facilitate the turning movements of snowplows, school buses, garbage trucks, or any other larger vehicles trying to come in and out of that subdivision so that they don't have to back down the streets that they're headed down.

Again, as I mentioned previously, construction access there will be one point as you can see the arrow coming south from 93rd and then there will be a haul road. I have a special exhibit that shows exactly how they're going to gain access into this development for construction purposes not only for the public improvements but also for the new homes that will be constructed in this development. Again, the other two streets at 48th Avenue and 97th Street will not be construction access points for improvements or home construction.

A fiscal review was completed by the staff. The developer has agreed to a cost sharing agreement to donate that additional \$891 for housing unit as a cost sharing contribution for each of the residential units within the development to address current shortfalls and funding fees collected for police, fire, EMS and public works. This is in addition to the other impact fees that are paid at the time of the building permit. Only one payment will be made for each residential unit within this development. Secondly, they have generously agreed to a park donation not only of parkland but for donation to help fund some of the improvements in the parkland to get the park open sooner obviously to benefit their residents as well as the adjacent residents.

Then, finally, there's a 93rd Street transportation improvement cost sharing agreement, and this has to do with the widening, upgrading improvement to 93rd Street. We were able to calculate an estimated cost that will need to be paid by the developer per unit to help pay for those improvements in 93rd Street.

And we have some roundabout improvement costs that are going to be shared between the Devonshire and the Stonebridge Subdivisions. We have a cost estimate that was put together by our engineer. As we get closer to that particular project the cost sharing will have to be provided by the developers in order to make that final improvement to that intersection. With that, the staff and the Plan Commission are recommending approval of the stage 1 of the Devonshire Subdivision. Again, they are requesting approval of the final plat, engineering plans, development agreement and related documents for their first stage of their development. Everything is in order, and we have scheduled a preconstruction meeting and a closing for this Wednesday.

Mike Serpe:

When this thing first came to the Board in its conceptual stage the neighbors spoke out and numerous items were resolved. I give a lot of credit to staff, the neighbors and to the developer. And there's always one person, an individual, who really kept a close eye on this and that's Walter Safran. He was here at every meeting, he and his wife, Marsha, and he always approached this Board in a professional manner, very prepared in his statements. He'd almost give a class on how to win what you're looking for. With his input I think this has come out to be a nice looking project and we're going to do everything we can to save the trees in front of his place. We're going to take care of some water problems in the back of his place, and his shed is

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still going to overhand by six inches on the Devonshire property. We'll get through that. Walter, thank you and Marsha for your involvement. I'd move approval of 07-33.

Monica Yuhas:

Second.

John Steinbrink:

We have a motion and a second. Any other discussion or comments or questions?

Clyde Allen:

A question for John, Jr. On the roundabout, when I originally saw the plan I thought it was wider and now it's referred to as a single lane roundabout. How difficult is that going to make it for plowing and snow removal.

John Steinbrink, Jr.:

There have been a lot of studies done and I've talked to other DPW directors in the State of Wisconsin that have roundabouts and they say that actually it's a lot safer to plow a roundabout because you don't have the backing movements in the intersection that you would have in a roundabout.

Mike Pollocoff:

It's wide enough, too. It's got a raised ramp that comes up to the island so you plow up on that. A larger vehicle that might not be navigating as well has some room and it's got some forgiveness.

Clyde Allen:

Thank you.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #07-33 RELATED TO THE FINAL PLAT, ENGINEERING PLANS, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR DEVONSHIRE SUBDIVISION FOR THE REQUEST OF KARI KITTERMASTER AGENT FOR REGENCY HILLS-DEVONSHIRE, LLC OWNER FOR 63 SINGLE-FAMILY LOT SUBDIVISION LOCATED SOUTH OF 93RD STREET AT 48TH AVENUE, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY YUHAS; MOTION CARRIED 5-0.

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E. Consider Award of Contract for the 70th Street Road Base Reconstruction project.

Mike Pollocoff:

Mr. President, we have a memo here from John Steinbrink, Jr. 70th Street is one of the older Town roads, and there's a new subdivision going to the east of it, the Westfield development. As part of our development agreement with Westfield, we require them to pave and resurface 70th Avenue based on the traffic and damage of the heavy equipment that's going to be going over that road going to the new subdivision. But this winter we discovered that the conditions were far worse than we indicated or that we knew of. So they're still going to provide the funds to construct the asphalt course of it, but rather than have that go on the same existing subbase, which is failing, we took bids to replace that base course out of there, take that out of there so that when the money is spent on creating a new asphalt road it will hold up.

We only received one bid on this project from Reesman's Excavating. Normally I'd be a little troubled by that, but one of the reasons Reesman has bid on it is he's right there in the area. Most of the other road builders, not that there's many road building contractors, they know his prices were really pretty good because he really has no mobilization to speak of since he's already there. So the bid they've submitted is \$69,576.50. We've spent some significant time this last year. The base failed during the winter. This was just an awful winter with freeze/thaw anyway to keep that up. So it's going to take—why don't you come up here, John. Was that a four foot cut in places or was it just two and a half. Am I thinking of Bain Station.

John Steinbrink, Jr.:

The soil investigation revealed that there's about four inches of gravel on top of about a foot and a half of organic which is the black dirt. So that's the way it was constructed. So the process is going to be one lane at a time since there's residents in that area on 89th and 70th is to excavate off the gravel, move it off to the side, excavate down to the black dirt, haul it off site, bring back in some more compactable soil, compact it and rebuild it up to the specifications that the Village has with the 12 inches of stone and five inches of asphalt.

Mike Serpe:

When is this going to take place, John?

John Steinbrink, Jr.:

We'd like to have it done ASAP. I've talked with Chris Reesman and if everything is approved he'd like to start within two weeks weather pending. The Weather Channel showed it raining this week and into the beginning of next week. So we can probably have a time line, but it's definitely in our plans to expedite the project so that we can have that road paved as soon as possible.

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John Steinbrink:

I think that's one of the biggest problems throughout the Village on the older roads is they were built on top of organic soils without removing them, without creating the base and in areas especially where drainage is poor. It just leads to failure.

Mike Pollocoff:

If we use the money that the developer is giving us to pave this road it will be gone. The road will look just like it did now because there's still nothing under it.

Steve Kumorkiewicz:

All the water lines, sewer, storm sewer is laid down already?

John Steinbrink, Jr.:

There is no storm sewer in that area. They're just roadside ditches, but the sewer and the water are in good shape.

Mike Pollocoff:

There is no water there. We have water coming up 89th but there is now water there.

Steve Kumorkiewicz:

So there's going to be no water over there then?

Mike Pollocoff:

If we do water we'll have to go off easements. The only reason we'll bring water in is if the people in that stretch petition it because it's not on a main route.

Steve Kumorkiewicz:

My concern is fixing the road and then tear it apart again to put in the water lines.

John Steinbrink, Jr.:

And I believe that most of the homes have an access either off of 88th or off of 89th. I don't believe there are many homes that have an access directly off of 70th.

Mike Pollocoff:

So the homes involved I guess would be without water four homes, two on each side of the street.

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SERPE MOVED TO AWARD A AWARD OF CONTRACT FOR THE 70TH STREET ROAD BASE RECONSTRUCTION PROJECT TO REESMAN'S EXCAVATING AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARREID 5-0.

Clyde Allen:

I know we received one bid, but the amount of it is in line with past bids for the same type of project?

Mike Pollocoff:

It was in line with the engineer's estimate.

F. Consider Professional Services Agreement for implementing the Stormwater Management Plan.

Mike Pollocoff:

If I could get John, Jr. back up here to walk us through this one, too. I'll just start this off. We've adopted, as required, the storm water management plan that the community was required to adopt by DNR. As part of our budget for the Clean Water Utility we still have more engineering work to be done to get this thing put together, and we budgeted a certain amount of funds which I believe were under as far as getting that work done, and this could be to engage the professional services agreement between the Village and Bonestroo to perform specific items for us so that, one, we're able to meet the implementation requirements for the storm water plan and have those tools as well as the ordinances updated as required by the State. John, why don't you just run through what the agreement provisions are with Bonestroo.

John Steinbrink, Jr.:

One of the things that we presented in the Clean Water Utility for the 2007 budget under new programs is basically the tasks 1.1 to 3.2 that you have listed in your packet in front of you. These are all things that we have to do because of the phase 2 regulations for the storm water that was mandated upon us by the State and the federal government. I guess I'll just go through them one by one. There are some storm water ordinance revisions to make sure that we're up to speed with everything that we have to do. There is development of storm water design standards to make sure that when a developer comes in it's very clear to them what exactly has to be done so that when the project is complete it meets all the standards.

On task 2.1 creating review guidelines for erosion control plans submitted by the developer. Creating erosion control inspection and reporting protocols, and development of financial considerations and guarantees. It's basically going to be like a cookbook that the developer will be handed from the engineering department that says here's everything that you have to do to meet the erosion control. Here's everything you have to do to meet the pond design standards during construction and all the different phasing that we have.

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On the task 3.1 that we have another thing that's required as part of our permit from the State is developing a storm water pollution prevention plan for municipal buildings. So we need to have a plan that puts the Village Hall in compliance and the parking lot to make sure that enough of the total suspended solids is collected before it's discharged off the site and also doing that for the Roger Prange Center.

And the final component of this is doing an illicit discharge of monitoring ordinance. What that is is there's a large network of storm sewer in the Village. There are many different discharge points out to that storm sewer on the creeks and rivers and retention basins. The Village goes through and we're going to monitor those as part of this program annually during dry conditions. And so by all rights if you do it during dry conditions there should not be any discharge coming out of those pipes. And any discharge that is coming out we're going to do an on site evaluation to figure out what that discharge is. Is it clean water? Is it soapy water from washing your car? Is it paint that someone might have dumped in there. And then the protocols and what to do if it is an illicit discharge, if it is the paint, if it is the soap. That's probably more of a concern in the industrial area. There are a lot of chemicals that are manufactured and used on site in a lot of the places. We've been very fortunate in the past that we haven't had any incident but this will give us the protocol to use in case something comes up in the future.

That's pretty much a brief summary of some of the new programs that we have. And we are asking the assistance of an engineering company to complete these tasks.

Mike Pollocoff:

A lot of these things that John went through you know we have these things in place typically, but this is the next iteration under the new standards and laws to address both water quality levels that we weren't under before and the procedure to take and enforce those things and be able to make it stick. We've done a lot of this at levels that weren't at the same standard and intensity that we're now required to perform at. So we've always done erosion control and construction management and we're not done. There will be another iteration of this as the rules become more refined but this is the first round. Hopefully this study buys us some years before the next advancement in what the discharge limitations are going to be.

John Steinbrink:

Any questions?

Monica Yuhas:

I do have one. Have we used this consultant before for anything in the Village?

Mike Pollocoff:

We have used Bonestroo for a number of things. Probably the most relevant to this is they've developed the storm water management plan for the volume and quality. They've done some work on inspecting and reviewing plans on behalf of the Village for subdivisions and some of our

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sanitary sewer. They're a good firm. They're not the only firm but we felt after evaluating the proposals we received from other consulting firms in relation to specific work in storm water management and storm water quality that they had a better track record than some of the other ones we looked at and their prices were competitive.

Monica Yuhas:

Thank you.

John Steinbrink:

Other comments or questions?

YUHAS MOVED TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BONESTROO FOR IMPLEMENTING THE STORMWATER MANAGEMENT PLAN; SECONDED BY ALLEN; MOTION CARRIED 5-0.

G. Consider Resolution #07-34 - Resolution Relating to Amendment of the 2007 Budget.

Mike Pollocoff:

Mr. President, I'm requesting this resolution be adopted relating to amendment to our 2007 budget as it pertains to changes in charges between different departments, the fire department, assessing and building inspection. As time goes on and I evaluate where our needs are as it relates to operations, we've been lacking in clerical support in the fire department and the amount of work that they've been doing in that area is increasing. We're doing one of two things, we're either having a fire officer, a command officer doing clerical work, or getting the line officers, paramedical and firefighters doing clerical work rather than either training or doing some of the review work that needs to be done. If you look at all the commercial building and work in the . . . that's fairly demanding.

We are in a point where we feel we have some of the staff that's available in the building inspection department in position to be able to reassign a position from building inspection to the fire department and have some overflow assistance as far as work overflow from the assessing department into the building inspection department. This amendment reflects those changes in personnel. It's not a net increase in the budget. It's a reallocation of what departments are going to be spending of budget dollars that were authorized at the beginning of the year.

It in part, too, reflects some of the slow down in residential construction. That's not to say that we might not be back looking for additional part-time help in the future, but in my opinion we had some clerical time available in the building inspection department and we the fire department is the only department that has no clerical assistance at all. So getting some clerical help in that department helps them out. It would be my recommendation that we adopt Resolution 07-34 with the amendment attached.

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Clyde Allen:

Motion to approve.

Mike Serpe:

Second.

John Steinbrink:

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

Steve Kumorkiewicz:

A question for Mike. Mike, actually we have two employees involved in these changes. I know that Susan used to work in the fire department part-time . . . in the fire department?

Mike Pollocoff:

Well, she worked seven hours a week in the fire department. That wasn't nearly enough to get them what they needed. But the fire department level of clerical responsibility that they needed to get their work done was in a higher classification than the part-time employee that they had. So we brought back that part-time person from the fire department and she's going to continue. She spends her remaining time in finance so she'll be in finance part-time but no less time. I forgot that there is a seven hour a week part-time position that will back flip to finance rather than having a clerk and a seven hour person. What I didn't want to do with this is to create another position to add onto the budget. If we need one down the road we'll evaluate that as part of the budget process. But as far as getting the bodies in the spots to get the work done that's what I'm trying to accomplish with this.

ALLEN MOVED TO RESOLUTION #07-34 - RESOLUTION RELATING TO AMENDMENT OF THE 2007 BUDGET; SECONDED BY SERPE; MOTION CARRIED 5-0.

H. Consent Agenda

- 1) **Approve Bartender License Applications on file.**
- 2) **Approve Letter of Credit Reduction for Ashbury Creek.**
- 3) **Approve Letter of Credit Reduction for Whispering Knoll.**
- 4) **Approve Letter of Credit Reduction for the Westfield Development.**
- 5) **Approve Renewal of the Keno Outdoor Theater License.**
- 6) **Approve Renewal of Towing Licenses.**
- 7) **Approve Amplification Permits for one event at Prairie Springs Park.**

KUMORKIEWICZ MOVED TO APPROVE CONSENT AGENDA ITEMS 1-7 AS PRESENTED AND SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY YUHAS; MOTION CARRIED 5-0.

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11. ADJOURNMENT

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY ALLEN; MOTION CARRIED AND MEETING ADJOURNED AT 8 P.M.