

**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
August 6, 2007
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, August 6, 2007. Meeting called to order at 6:30 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. **MINUTES OF MEETINGS - JULY 2, 2007**

SERPE MOVED TO APPROVE THE MINUTES OF THE JULY 2, 2007 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

5. **CITIZEN COMMENTS**

Bob Babcock:

Bob Babcock, 11336 Lakeshore Drive. I would like to compliment the Village again for an excellent Family Days. I didn't get to spend all day there every day, but I was there for part of the fishing contest and the little princess parade and stuff like that. I think the vendors that donated the prizes to the fishing contest they outdid themselves. There were some fantastic prizes and kids were really happy. Princesses were all pretty. The only unhappy faces I saw there were the kids when their folks told them they had to go home. Thank you.

Doug Snow:

Doug Snow, 10320 32nd Avenue. I'd like to second Bob's comments and I'd like to make some specific mention of some folks who really went above and beyond. During the Danskin Triathlon and Prairie Days and Triathlon there are a lot of volunteers that come out and they're kind of the unthanked. I know we go out of our way as workers to thank them and give them gifts, but I'd like to mention several of them by name if I might. From the RecPlex James has done a fantastic job with his folks and he had a lot of great people out there. He had some people that were on the clock and a lot of people that were volunteering from Tom Patrizzi to Melissa Hagewald. I know that Melissa was working her tail off out there. It was hard enough to drive me around in the golf cart.

From the parks I know John Steinbrink, Jr., he and I were out there on Saturday night and again last night pretty late. These guys are really committed and I want to commend them. LeRoy Uhlenhake and the special life saver award I think goes to Kevin Meyers for towing the Pirates of the Caribbean, those of us that were there. And honorable mention goes to Mark Goessl. I'd also like to compliment Ruth Otto and her daughter Samantha. They worked tirelessly especially around the film festival. I want to compliment them for that. Really, we don't get an opportunity to say thank you to these people enough and I'd just like to be on the record for it. And thanks for all of your efforts out there. I know every one of you were out there working hard. Thank you.

Dick Ginkowski:

Dick Ginkowski, 7022 51st Avenue. Thank you for allowing me to attend this meeting of the Pleasant Prairie, Arizona Village Board. Or maybe it should be Florida with the humidity, I don't know. But I'm here tonight and stopped in to update the Board on a matter that was taken up a few months ago involving the convenience cash industry, the Payday Loan stores. The predecessor Board in a moment of unanimity that seemed to escape the editorial writers did, in fact, withdraw the welcome mat for these types of businesses in the community. We do, of course, have some, a couple that came in before the Board was able to take action. But certainly Jean Werbie and her staff did a very good job of putting together legislation that the Board previously adopted which was good.

Now, to update you on some of the latest developments, because President Steinbrink did indicate how difficult it was to deal with this issue in Madison, and we're lucky because we have a Legislator who also happens to be on the Village Board so we get this type of conduit. The Oregon Legislature passed a State law, it went into effect July 1st, and basically as rapidly as the locusts infested the State of Oregon they are leaving because the Oregon Legislature set a cap at 30 points over prime which at this point would be 36½ percent on loans. So instead of 520 percent they're down to 36½ percent. I don't know of any of us standing in this room who would ever get a loan at 36½ percent, but in any event that's a very, very good idea that they carried forward in Oregon.

I e-mailed John last week with that information at his office in Madison. What I'm going to suggest is in addition to John following up on that is that the Board may want to follow up with some type of resolution encouraging similar action by the Wisconsin Legislature. I think the Oregon procedure, there are some other states that have taken various approaches, but Oregon seems to make the most sense. It seems to have a workable way of allowing, of course, some risky loans and allowing interest to be charged but capping it. As I said, I don't know anybody standing in this room that would pay 36½ percent. So compared to 520 percent that's a significant reduction and it's enough that some of the Payday Loan industry chains in Oregon literally are folding up and all of their stores are leaving the State.

So it's an idea that I think we need to follow up on, and if there's statewide legislation that will eliminate the issue of communities becoming what we used to refer to as town islands, we don't want to have that happen either. So that's the reason I came to speak tonight just to update you on that point and to ask that the Board consider formalizing this a little more once we've had an opportunity to further study the Oregon proposal. I know the Legislature is bogged down right

now in the budget battles, but this should be something that perhaps we can get some attention going on. Thank you.

Goran Yordanoff:

Hello, Goran Yordanoff, 9319 Lakeshore Drive. Just to advise the gentleman who preceded me, you're simply doing your part to combat global warming by the temperature being so high tonight. So it has nothing to do with Arizona or Florida. We're being environmentally conscious. As a casual observer I felt motivated to make a few comments before I go into what I really came here for tonight. I'm completely perplexed as how the *Kenosha News* considers its bizarre battle with the Pleasant Prairie Board. By the way, I'll preface the comments by saying it's nice to see some of the old faces here and some new faces as well.

Going so far as to imply that your actions are a direct threat to our democracy, it would be more appropriate for them the focus on the fiscal irresponsibility in their own backyard, specifically the irresponsibility of Kenosha Unified School District and their never ending demands on the residential property owner and taxpayer. My property taxes are around \$30,000 a year and I'm just curious how much they're going to push it higher.

Also they may want to spend some time discussing the ludicrous waste of millions upon millions of dollars to construct a Civil War Museum, when according to my last calculations the total number of Civil War battles fought on Wisconsin soil were - let me see - carry the one - right, none.

We can go on about the squandered opportunity in developing Kenosha's lakefront into a boater's mecca destination on the southeast Wisconsin lakeshore and instead allowing the construction of a massive boat storage facility. It goes on and on. But instead they want to pick on Pleasant Prairie.

Let me get to the real reason I stand before you tonight. We need to take immediate steps to address a tremendously dangerous phenomenon that seems to be getting worse with each passing week. Lakeshore Drive in Carol Beach has turned into a racetrack. I've personally seen day in and day out motorcycles, reckless teenagers, others driving in excess of 6200 miles an hour on the straight away from 91st Street to Barnes Creek.

I and numerous other residents have contacted the Pleasant Prairie Police Department and they've been very responsive in sending units to the area but they just can't be there 100 percent of the time. I see people all day long, senior citizens, children, families walking, jogging, biking up and down the lakefront when all of a sudden there's this thunderous explosion of acceleration when a motorcycle or some fast and furious type of car speeds by 80 to 100 miles an hour. I'm afraid to get my mail at the end of the driveway and I certainly am afraid to ride my bicycle.

We need to seriously take the public safety into account here and work with our law enforcement officers to consider effective solutions. Those solutions could include strategically placed speed bumps, speed enforcement cameras that are being used extensively throughout Chicago now, and they've significantly reduced the amount of accidents caused by cars running red lights. The figures are actually staggering at how this method has paid off in terms of accident avoidance and revenue generation as well. I know people get nervous with cameras, but these aren't big brother type of cameras that are on all the time. They're only trigger when internal radar senses a vehicle traveling in excess of the speed limit.

A few weeks ago a young man lost his life tragically as he went over the railroad tracks on 91st Street. I drove past the scene just as the police arrived. You can see the skid marks on the pavement after he traveled over the railroad tracks and hit the sharp hairpin turn. He lost control of his motorcycle and went through the bike lane and slammed into the guardrail. Thank God there wasn't more loss of life that day, but I shudder to think of what would have happened if some children were riding their bikes around the turn in the bike lane at the time of the accident.

We need to address this now, not later. No pontification by people who couldn't give a damn. This is a serious problem and it needs to be fixed now. Not later, now. I see Pat's Sewage trucks flying around this turn everyday. I see, believe it or not, school buses speeding like crazy around this turn and on Lakeshore Drive. It really boggles the mind. I've spoken to shift commanders of the Pleasant Prairie Police Department and they've told me that any action concerning the roads rests squarely in the hands of the Pleasant Prairie Board. Let's please take time to make this item a priority before any more makeshift memorials have to be erected.

Again, I want to point out that Pleasant Prairie shift commanders have told me that they constantly battle the situation in straightaways such as Green Bay Road, Lakeshore Drive, and they tell me they just can't catch these speeders because the motorcycles just go too fast. We can't expect these people to obey speed limit signs. We need to erect physical barriers that prevent them from doing this.

Just one last thing. The pavement on 91st Street from the Keno Drive-In Theater to the tracks, there were repairs done on this road about four years ago and the pavement patches are just getting worse and worse. I had a friend of my over a few weeks ago who returned with the Army Reserves. He was in Iraq for a year, and he told me to relay a message to you. I brought him over just to spend the day at the lakefront and on line a little bit, and he said I want you to tell them that the only roads that I've ever traveled over that was that bad was when I was in Fallujah. So hopefully we can do something about that. Thank you for your time.

John Steinbrink:

Thank you. Is there anyone else wishing to speak under citizens' comments? Hearing none, I'll close citizens' comments.

6. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Thank you, Mr. President. Before I start, with respect to 91st that is an awful stretch of road, but 91st is in the City of Kenosha. That's okay. I'm sure that they've got some that they'll tell their residents that's in the Village. Those roads are all over but that one is in tough condition.

I wanted to give the Board an update on a recent report that came out from the League of Municipalities. It's the annual comparison of property taxes and the levies that's prepared by the League for incorporated municipalities whether cities or villages. What this report does is it provides a levy comparison off their annual list for every municipality, and it's based on 2006 values for taxes to be collected in 2007. It's a pretty lengthy report. We just received it.

What I did is I took a look at the municipalities that are comparable to the Village of Pleasant Prairie. We don't compare to Abbotsford or some of those other places, but there are other communities that we do compare to in terms of population and in terms of assessed value. Assessed value is going to drive what you can levy your budget against and population is going to dictate the number of citizens that you need to provide.

The other thing, and it's not listed up there, is I compared Pleasant Prairie to former governments that were towns. If you were to compare the Village of Pleasant Prairie to Whitefish Bay from a population standpoint, and even almost a value standpoint, we're similar but we're completely dissimilar because Pleasant Prairie is a mix of rural, urban and spread out type uses. We're more comparable to Mt. Pleasant, Fitchburg, other municipalities that have that big, broad area that's out there.

They also report in this list what type of government and what their levies are. It's interesting. One of the things that taxpayers - and I know the Trustees struggle with at budget time - is, one, we go through the budget process and we determine how much we need to levy as a property tax against all the property tax owners in order to accomplish all the things we have to do separate from fees or anything else that we have in our budget. Many times in these discussions we get compared to the Town of Paris which has no levy but has no services. Or, we'll get compared to the City of Kenosha which has services in some cases greater than ours, but on the levy basis how much is their levy versus ours? I really think that's a good benchmark, it's a good reference point, especially if you normalize how we compare to the municipalities.

The other thing that's interesting in the league report is the County levy. The County levy is that overlapping charge that's placed on every government for services that the County provides that they levy a property tax for. If you take a look at this municipal comparison here, the numbers on the left are the levies. That, again, is when we tax our residents what is that tax, what's it amount to? And when you compare us, Pleasant Prairie, to Ashwaubenon, Germantown, Middleton, Muskego, Marshfield, Caledonia, Fitchburg, Mt. Pleasant and Mequon, all former townships, all 36 square, in some cases 42 square mile communities, that if you think about any one of those Cities with the exception of Marshfield you really don't have a downtown, you don't have a centralized urbanized area. You do have subdivision growth, industrial parks kind of spread out. They're somewhat similar to ours. They have similar levels of population. Populations run with Middleton at 16,935 all the way up to Mt. Pleasant, a recently incorporated Village at 25,438. So when you compare those numbers, the Village's levy and this is, again, comparing us with actual budgets that each community is living with right now, we're the lowest. Our levy is \$7,319,650. Ashwaubenon is \$7,718,000. Mequon their levy is \$18,239,000. So you can see the bulk of those levies are kind of hovering on an average basis that \$10 million level which the Village is two and a half million dollars less than the other communities.

If you were to look at the other common thing between these communities, again, with the exception of Mequon, who has the incredible value of \$4.2 billion, but all these communities are between \$2.5 billion in assessed value and \$2 billion in assessed value. Pleasant Prairie is at \$2.486, just under \$2.5 billion. We're one of the higher valued communities in this population group. So we all have a comparable tax base to levy a tax against. We all have a comparable geographic, population and economic tax base to levy the tax against, based on, and the Village in this last year as we have in previous years has been able to levy a tax that's still far less when you compare us with other communities. So the Village provides streets, emergency services, the

office services, planning and development, the voting services, all those things, assessing, those things with \$7.3 million. That's 24/7 hour service.

The other thing that's unusual, and I think it's the thing that taxpayers grapple with and struggle with and Goran just identified it as it relates to school districts, but for incorporating municipalities is that levy that's levied by the County. Now, if you were to take a look at the next slide which would be the County levy comparison, on this slide we go the exact opposite. Pleasant Prairie pays the most in County taxes of any of those incorporated municipalities. So we're paying it at a rate of about \$9.5 million in Pleasant Prairie for County government. Mt. Pleasant is not far behind. You can kind of see some relationships by County. We're the only big enough community in Kenosha County to look at to be at \$9.5 million. Mt. Pleasant and Caledonia are close. Mt. Pleasant has a lot of more assessed value than Caledonia and they do have a bigger budget. Mequon is in Sauk County. Germantown is in Washington County. Fitchburg, of course, is in Dane. Middleton is in Dane and Muskego is also in Waukesha. So the amount of County services that are put on top of that budget and, of course, the County services that the Village pays for are the jail, Sheriff's services, County roads, that part of Social Services that are necessary, those things.

So if you were to combine the two, we're not the highest, Mequon is still the highest, but that's a significant tax load that the Village, again, over the average. It's not like those numbers are all fairly tied together. There's a big spread between the bottom and the top, and it's really what level of service. Muskego is a fairly similar community to Pleasant Prairie. If you look at Muskego they have 22,000 people, \$2.5 billion in assessed value. Pleasant Prairie has roughly almost 19,000 people and \$2.5 billion in assessed value. The same tax base to levy against and they're providing the same services. When you look at the amount of services that Muskego achieves or Middleton, again, it's a different concept in how the County governments are funded. Those are significant findings that I think that don't get measured out when you're weighing what the levy is.

When I prepare the budget for you, I have full responsibility over how that budget is put together and what number we come up with and you have, in turn, responsibility for what the Village ends up adopting as a levy. But, again, that takes up about 18 percent of the total bill. You have the County add on and then you have the schools add on. So as we come into our budget cycle it's a good point in time since the numbers have been released to take a look at where we fit along with our neighbors. Given that everybody is under levy limit there probably won't be a lot of change in this, only to the extent that the communities would adopt new and added debt service to pay for anything that they want to use that as a method for funding. I just wanted to get those numbers out for you. If you have any questions I'd be glad to answer them.

Mike Serpe:

I have a comment. I think this kind of news has to hit every resident in Pleasant Prairie. I think the way to do that is right now through our newsletter. This is very disturbing to me to see something like this because we're getting attacked constantly about our taxes being too high in Pleasant Prairie, we're a tax hell, and nothing is further from the truth. Like Goran said tonight the schools are taking their share and look at the County. This is something that I think people have to be educated on and I certainly hope we're able to give them some type of educational information that they can use, at least hang onto it, to see where that money is going.

Steve Kumorkiewicz:

Following Mike's comments, Mike if I recall correctly last year 18 cents for every dollar collected in taxes came to the Village.

Mike Pollocoff:

Correct.

Steve Kumorkiewicz:

And around 24 cents went to the County.

Mike Pollocoff:

That's correct.

Steve Kumorkiewicz:

So right there we've got six cents difference and we're providing all the services ourselves. So right there it gives you an idea actually how much we're overpaying the County. We're supporting a lot of those townships around the County.

Mike Pollocoff:

Just to be fair we don't provide all the services. We don't provide the jail. There are things that--

Steve Kumorkiewicz:

We have to pay. I agree with you, yes.

Mike Pollocoff:

There are some overlaps that everybody has indicated should be looked at. But as people are frustrated about paying taxes these two graphs it doesn't seem to be comparable and that just kind of makes you ring the bell that people should take a look at it and think about it.

John Steinbrink:

Just so you know, the good news is help is on the way. Frank Lasee, Madison's most intellectual Assembly person has suggested that we reduce the number of Counties in the State of Wisconsin to 18. And the first big item of his concern was how many County fairs will get reduced then also. Thank you, Mike. Is that it?

Mike Pollocoff:

That's it.

7. NEW BUSINESS

- A. **Receive Plan Commission Recommendation and Consider Resolution #07-45 and approval of a Preliminary Plat for the request of Mark Eberle P.E. of Nielsen, Madsen & Barber, S.C. agent for the properties generally located east of 63rd Avenue and north of STH 165 for a Preliminary Plat for the proposed Courts of Kensington development which will include 119 single family lots and six (6) outlots.**

Jean Werbie:

Mr. President and members of the Board, this is a request for a preliminary plat approval. The request is by the agent, Mark Eberle, from Nielsen, Madsen & Barber. We do have a representative from Stanich Development here, Doug Stanich, to answer any questions that you may have. This is for a preliminary plat for a 119 single family lot subdivision which includes six outlots. The proposed subdivision would be located east of 63rd Avenue and north of Highway 165 as shown on the slide.

In accordance with the Village Comprehensive Plan, the Highpoint neighborhood is classified as being in the lower-medium density residential land use category, and this particular development is located in the southeast corner of this neighborhood within the Comprehensive Plan, and it does fall within the density of the land use identified.

On January 27, 2007, the Plan Commission held a public hearing and approved the Highpoint Neighborhood Plan Alternative 1 which included the Courts of Kensington and the conceptual plan that was identified by the developer at that time. In addition, there was a second Alternative 2 approved by the Plan Commission for the Highpoint Neighborhood Plan, and it also did include the same configuration for the Courts of Kensington.

The Courts of Kensington development is 83 acres of land. Again, it has 119 single family lots and six outlots. The lots range in size from just over 15,000 square feet to over 45,000 square feet in area. The average lot size is just over 18,000 square feet. Each of the lots meets or exceeds the minimum requirements of the R-4, Urban Single Family District, and the entire development has a net density of 1.86 units per net acre. Population projections at full build out of this development would be 325 persons which would comprise 75 school age children or 50 public school age children.

Current zoning is R-4, Single Family Residential. A portion of the site is delineated as FPO or Floodplain Overlay District, and a portion is also shown within the shoreland jurisdictional boundary area. A zoning map amendment will be required to be submitted at the time of the final plat to rezone the field delineated wetlands to the C-1 District, to rezone the non-wetland areas in Outlots 1 through 6 and the PR-1 District, and to rezone Outlot 7 which is in the very northwest corner of this development into the I-1 District. The developer is proposing to remove the shoreland zoning designation pursuant to a December 26, 2006 determination letter from the Wisconsin DNR, as there has been no navigable waterway that has been delineated on this property.

In addition, the 100-year reoccurrence floodplain, known as the 100-year floodplain, is proposed to be amended with Stage 2 of this development. This particular project is proposed to move

forward with a final plat that consists of a Stage 1 and then a final plat for Stage 2. Stage 1 would be that area south of the red-dashed line.

Open space within the development consists of about 14.6 acres or just under 18 percent of the entire site. The open space includes 1.16 acres of public parkland in Outlots 5 and 6, .13 acre of wetlands within Outlot 2, 2.9 acres of 100-year floodplain which will remain in Outlots 4 and 5, and 10.5 acres of other open space for storm water, and this would be contained within Outlots 1, 2, 3 and 4.

The 100-year floodplain has been delineated on this property. The developer is proposing a floodplain boundary adjustment to do a cut and fill analysis to fill in portions of the floodplain but create other areas of floodplain within the area. There would be more floodplain created than is filled with this particular project. The floodplain boundary adjustment will be within this second stage of this development.

Public improvements, there are a number of roads that abut to this development as well as run through this development. Highway 165 will need to be improved and widened with bypass lanes. There will be a new connection to Highway 165 at 62nd Avenue which is the main north/south road through this development. 100th Street connection will be made east of 63rd Avenue to interconnect with the existing residential to the west. 102nd Street will have a connection to 63rd Avenue. Main Street connection, again this is part of the Main Street roadway system leading from 39th Avenue all the way to Highway 31. This is just one segment of Main Street. 100th Place connection to the west, 62nd Avenue connection to the north of Main Street. The entire development will be serviced by public sewer, water and storm sewer.

Off site improvements in 63rd Avenue and 100th Street, the developer is going to be responsible for installing municipal water within 100th Street and 63rd Avenue. A ten year right of recovery may be afforded to the developer if the developer requests of the Board and if, after holding a special assessment hearing, the project is approved by the Village Board, the actual cost for such improvements will be provided at the time the final engineering is completed. The water connection is not mandatory for those residents on the west side of 63rd Avenue. The adjacent property owners will be required to pay the special assessment water cost only if they choose to connect to the municipal water system. And if any new homes are constructed or if any land division is proposed in which case the special assessment will be required to be paid prior to the recording of a CSM or plat. A special assessment public hearing for the off site municipal water improvements will need to be scheduled by the Board for these pending costs prior to or at the time of the final plat approval.

Off site improvements to 63rd Avenue also include the reconstruction of 63rd Avenue as a full urban profile roadway with curb and gutter, storm sewer and related roadway improvements, removing the 63rd Avenue connection to Highway 165 and installing the required cul-de-sac. So 63rd Avenue will no longer connect to Highway 165, the main north/south connection road will be 62nd Avenue. The developer will be required to remove the pavement, grade top soil, plant and restore the area between 63rd Avenue cul-de-sac and Highway 165. He will be responsible for obtaining any temporary sloping or grading easements that may be needed west of 63rd Avenue. All public improvements will need to be installed pursuant to Village specifications, and the developer will be required to install granular backfill material in the trenches in order to expedite the paving of 63rd Avenue so as to minimize any inconvenience to the residents on the west side of 63rd Avenue.

The Village will not require the developer to improve 100th Street. There has been some discussion with the residents on 100th Street, and at this point I don't think that they are interested in doing any additional improvements, but possibly as the project moves forward they may have some interest in upgrading their road to be curb and gutter profile with storm sewer similar to the surrounding roads. Construction access for the installation of public improvements as well as home construction will be from 62nd Avenue at Highway 165. No heavy construction equipment will be using 63rd Avenue as a through road to service this development.

And, finally, Courts of Kensington development, again, is requesting preliminary plat approval this evening. The Plan Commission recommended approval at their last meeting subject to the comments and conditions. In between the Plan Commission meeting and the Board meeting, my understanding is the developer is coordinating with the Kenosha Unified School District regarding the transfer of Outlot 7 and doing some type of exchange of land in order to transfer that land for a future school site for Unified. With that, the staff recommends approval of Resolution #07-45.

Mike Serpe:

So moved with a question.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike Serpe, second by Steve Kumorkiewicz. Mike?

Mike Serpe:

Doug, are you anticipating early grading for this?

Doug Stanich:

We're working on that. Hopefully. But we're in discussion with Jean on that and it almost requires going through the whole plan anyway. So it may end up—I don't know. We're working on it. We'll see.

John Steinbrink:

Further comments or questions?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #07-45 AND APPROVAL OF A PRELIMINARY PLAT FOR THE REQUEST OF MARK EBERLE P.E. OF NIELSEN, MADSEN & BARBER, S.C. AGENT FOR THE PROPERTIES GENERALLY LOCATED EAST OF 63RD AVENUE AND NORTH OF STH 165 FOR A PRELIMINARY PLAT FOR THE PROPOSED COURTS OF KENSINGTON DEVELOPMENT WHICH WILL INCLUDE 119 SINGLE

FAMILY LOTS AND SIX (6) OUTLOTS, SUBJECT TO THE CONDITIONS SET FORTH BY STAFF; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

- B. Receive Plan Commission Recommendation and Consider Resolution #07-46 and approval of a Preliminary Plat for the request of Phil Godin, agent for Sunny Prairie, LLC, owner of the property generally located on the east side of 47th Avenue at approximately 109th Street for the proposed Sunny Prairie development including 5 single family lots, one (1) outlot.**

Jean Werbie:

Mr. President, the petitioner, Phil Godin, owner of Sunny Prairie, LCC, is requesting to subdivide 4.7 acres of property generally located between 45th and 47th Avenues at 109th Street for a proposed five single family lot subdivision to be known as Sunny Prairie. This development would be located immediately west of the Prairie Lane Heights subdivision and to the north/northwest of the Mission Hills development.

Pursuant to the Village's Comprehensive Plan, Sunny Prairie is located in the Prairie Lane Neighborhood. That neighborhood is classified as a low density residential land use category area wherein the average lot size needs to be 19,000 square feet or more per dwelling unit. The development site is approximately 4.7 acres. The proposed lot sizes range in size from 19,123 square feet to 39,578 square feet. The average lot size is just under 30,000 square feet. In the original plat that was presented, the lot size for Lot 5 shrunk just slightly. The engineer is making that correction. All lots do need to have a minimum lot size of 20,000 square feet per the conceptual plan and per the zoning that will be approved for this property. Approximately 3,049 square feet or .07 acre was transferred from this property to the land to the south at the request of the property owner lying just to the south.

Population projections as a result of the full build out of these five lots would be 14 persons. A total of three school age children would likely come from this development or two public school age children. The net density would be 1.26 units per net acre.

Open space, approximately one acre or 25 percent of the entire site is proposed to remain as open space. The majority of that open space area is classified as wetlands which is just over 25,000 square feet. Based on the wetlands delineated by SEWRPC on August 3, 2006, there are some scattered woodlands along 47th Avenue as well as scattered throughout the site that have been delineated and are proposed to be protected as part of this development site. And then there's .54 acre of other open space that will remain as open space surrounding the storm water basin.

The current zoning of the property is currently A-2, General Agricultural District. The properties to the north, east and south within the Whispering Knoll and the Mission Hills subdivisions are zoned R-3, Urban Single Family Residential District. This development will likely have that same zoning request of R-3 as Whispering Knoll and the others have. Specifically, we are not requesting the zoning change this evening. There is a minor modification that needed to be made with respect to the legal description, so for that reason the zoning will be presented at the time that the final plat is being considered by the Village Board.

Public improvements and access construction, no additional right of way will be required to be dedicated on 47th Avenue. On 45th Avenue and 109th Street a small eyebrow-type cul-de-sac will

be constructed on 45th Avenue. The entire development will be serviced by municipal sanitary sewer, water and storm sewer. Construction access for the installation of public improvements and the house construction will be required from 47th Avenue for those three lots, and otherwise it will be 47th Avenue through Whispering Knoll to finish off that eyebrow cul-de-sac at 45th and 109th. What's a little bit more unusual also is that the sanitary sewer will come in from 109th Street, come in through easements and then service all of the lots within the subdivision. Again, Sunny Prairie is 4.7 acres. Net density is 1.26 units per acre. The Village Plan Commission and the staff recommended approval of the Sunny Prairie preliminary plat subject to all the comments and conditions as outlined in the staff memorandum. Therefore, we recommend approval of Resolution #07-46 for the Sunny Prairie Subdivision.

YUHAS MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #07-46 AND APPROVAL OF A PRELIMINARY PLAT FOR THE REQUEST OF PHIL GODIN, AGENT FOR SUNNY PRAIRIE, LLC, OWNER OF THE PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 47TH AVENUE AT APPROXIMATELY 109TH STREET FOR THE PROPOSED SUNNY PRAIRIE DEVELOPMENT INCLUDING 5 SINGLE FAMILY LOTS, ONE (1) OUTLOT, SUBJECT TO THE CONDITIONS SET FORTH BY STAFF; SECONDED BY SERPE; MOTION CARRIED 5-0.

- C. Consider the request of John Perla, Jr. agent for Bain Station Crossing to approve the first amendment for the Declaration of Restrictions, Covenants and Easements for Bain Station Crossing.**

Jean Werbie:

Mr. President and members of the Board, following the closing with the Bain Station Crossing about a week and a half ago, the attorney went through their declaration of restrictions, covenants and easements with a fine tooth comb and realize that there were three typos that he felt that could lead to some misinterpretation of the covenants for the homeowners association as well as those who are interpreting those association documents. So as such he is recommending a first amendment to the declaration of restrictions. There are three corrections. One has to do with masonry. The second has to do with a typo with the word though, and then a third is the word states instead of statutes was used within the declarations. Very minor corrections and they're seeking approval prior to the conveyance of any lots within that development. The staff recommends approval as presented.

YUHAS MOVED TO APPROVE THE REQUEST OF JOHN PERLA, JR. AGENT FOR BAIN STATION CROSSING TO APPROVE THE FIRST AMENDMENT FOR THE DECLARATION OF RESTRICTIONS, COVENANTS AND EASEMENTS FOR BAIN STATION CROSSING AS OUTLINED, SECONDED BY ALLEN; MOTION CARRIED 5-0.

- D. Consider Resolution #07-47 - Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for the Construction of Municipal Water on 84th Street west of 63rd Avenue.**

Mike Pollocoff:

Mr. President, the Village has been petitioned to extend municipal water on 63rd Avenue as well as west on 84th Street. The petitioners have all signed requesting it on 84th Street. The water basically right now runs just north of 84th Street and involves the street property owners, and they've already signed waivers requesting that the project take place. This ends up being a formality to levy that assessment. We don't have the final numbers yet. We only have estimated numbers. So I'd be looking to conduct a hearing at our next Board meeting a month from now.

SERPE MOVED TO ADOPT RESOLUTION #07-47 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS FOR THE CONSTRUCTION OF MUNICIPAL WATER ON 84TH STREET WEST OF 63RD AVENUE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

- E. Receive Recreation Commission Recommendation and Consider approving the sale of beer at the Pleasant Prairie Triathlon on August 19, 2007 from 10 a.m. - 1 p.m.**

Mike Pollocoff:

Mr. President, the Recreation Commission received a report from the Recreation Director concerning the sale of beer at the triathlon from 10 a.m. to 1 p.m., and the Recreation Commission made a favorable recommendation to allow that to occur as provided on the Director's memorandum with request, not necessarily stipulations, that it be maintained to only serving two cups at a time and bringing the size of the cups from 16 ounces down to 12 ounces. James, why don't you give us a thumbnail.

James Losch:

If I could I'd like to go through each bullet item because there are a few friendly amendments to each bullet item. For the description of the product the retail price would be changed to \$5 for 16 ounces. That would result in gross sales of \$1,908 or three half barrels net profit would be \$16.80. If we're able to have the half barrels donated there would be a two beer limit, and at the entrance of the fenced in beer garden there would be a wrist band and ID put onto each customer over 21 years of age. Another question that came up was regarding the Village insurance. And the Village insurance has covered the sale of beer sales.

Mike Pollocoff:

This is a small event compared to some of the ones we do, although we are anticipating upwards to 2,000 athletes. It's something that's been asked for, whether it's been this triathlon previously or else Danskin. The best analogy I've heard is it's not too different from somebody wanting to have a beer after their round of golf. When you look at the numbers that James is proposing its not mass quantities of alcohol, but it really provides another thing at the triathlon venue that a lot of other triathlons provide that we don't.

Clyde Allen:

Make a motion to approve.

Mike Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike. Further discussion?

Clyde Allen:

My comments are, and I kind of stated it at the Recreation Commission meeting, that moderation is important. Yes, this is a short-term time between 10 and 1, however the wrist band portion is very important to me. We do want to keep it in moderation there and keep it in the contained area. That's very important to me as well. And soliciting the donation of all the beer very important to aggressively pursue that. Thank you.

Steve Kumorkiewicz:

The comment I'm going to make is that everybody who drinks beer is going to have to remain in that area. Beer cannot be taken out of that. No minors allowed unless they go with their parents. I wonder and think about whether we should have some Coke in case somebody goes in there with their parents. If a parent wants to have a beer they might want to get their kids a Coke. I don't know if that would be acceptable or not at this time.

Mike Pollocoff:

There definitely will be food for the athletes as well other drinks. We don't serve Coke. We serve Pepsi.

Steve Kumorkiewicz:

You're right. I'm sorry. I apologize for that. I should know better. I agree with the terms in this. Everybody likes to have a cold beer on a hot day or hot run.

John Steinbrink:

Apparently we haven't invented malt liquor Gatorade yet.

Monica Yuhas:

If we decide to approve this tonight is this setting a precedent for future triathlons and future events?

Mike Pollocoff:

One thing the Recreation Commission said is this is just a test. It's not a blanket approval for anything else. And the Board would have to approve any other, in the case of sporting events, would have to approve any other sales of beer after recommendation from the Recreation Commission for like the Danskin Triathlon. They had requested it but we really didn't get out of

the box with it at that one. I guess a precedent for another triathlon, I think for the reason people wanted it at this one would be why they wanted it at the Danskin. That's all I'd recommend at this point. I have confidence in James and his staff to run this thing and put it together. But this is a one-time deal and that was the recommendation of the Recreation Commission.

Mike Serpe:

For the type of crowd that we're going to have there and mostly athletes and their supporters and families cheering them on, I don't anticipate a problem. I was a part of the old Pleasant Prairie Days when it was behind the fire station on 88th Avenue and you don't want to get back into that. I don't ever anticipate us ever even entertaining that thought to get back to that type of party. I also had the dubious honor of working Cohorama when I was a cop in the City and I don't want to see this turn into that either. So we'll monitor this. I think it's a good idea if it's monitored and watched closely. I don't anticipate any problems with it. For any future events that we may be looking at, this will be the last one of the summer, any future events I think we have the whole winter then to maybe evaluate and see what we want to do. We may want to make a little bit more secure area so cups and beer can't be handed through the fence type of thing. Little things like that we can improve upon this thing and tweak it. As long as I have a say I don't ever want to see this to get into the old Prairie Family Days that was behind the fire station and I don't think it will ever turn into that.

John Steinbrink:

James, this is going to be in the same area as we serve the food and the soda and the other stuff there?

James Losch:

Correct.

John Steinbrink:

So they can get a cheeseburger or whatever they want, fruit, snacks. You can leave with food but the beer is going to stay inside that area.

James Losch:

Yes.

John Steinbrink:

It's a pretty responsible crowd. We've worked at all of these and its family members and athletes. There's not much that gets out of hand there. The most that upsets people is that they can't get their bike out of transition early. That's our biggest concern. As long as we keep it to that area I don't think I have a problem with that.

Monica Yuhas:

Do we have a certified bartender already in place for this?

James Losch:

Yes, we do.

Steve Kumorkiewicz:

One last comment. Through all these years that we have been working the triathlons, one thing that went on is everyone wanted to get out and go out of the area. I don't think we're going to have too much problem with too many people staying there just to drink beer. They will have one beer and they're going to go. That's what happened every time. They want to get out.

John Steinbrink:

Just so we have appropriate signage to remind them don't leave the premise with the cup of beer.

Mike Serpe:

If I may add one other little recommendation, Jim, and this is a suggestion. I don't think any volunteer or any staff member should be allowed to participate in this until after they're done working.

James Losch:

Of course.

John Steinbrink:

Any further discussion?

ALLEN MOVED TO CONCUR WITH THE RECREATION COMMISSION RECOMMENDATION AND APPROVE THE SALE OF BEER AT THE PLEASANT PRAIRIE TRIATHLON ON AUGUST 19, 2007 FROM 10 A.M. - 1 P.M., SUBJECT TO THE CONDITIONS AS OUTLINED; SECONDED BY SERPE;; MOTION CARRIED 5-0.

F. Consent Agenda

(All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the General Order of Business and considered at this point on the agenda.)

- 1) Approve Letter of Credit Reduction for Ashbury Creek Subdivision.**
- 2) Approve Letter of Credit Reduction for Meadowdale Estate Addition #1 Subdivision.**
- 3) Approve Letter of Credit Reduction for Creekside Crossing.**
- 4) Approve Letter of Credit Reduction for Kings Cove.**
- 5) Approve Letter of Credit Reduction for Creekside Crossing - Mass Grading.**

- 6) **Approve Letter of Credit Reduction for Meadowlands Addition No. 2.**
- 7) **Approve Amplification Permit for Picnic Rental at Prairie Springs Park.**
- 8) **Approve Bartender License on File.**

SERPE MOVED TO APPROVE CONSENT AGENDA ITEMS 1-8; SECONDED BY KUMORKKIEWICZ; MOTION CARRIED 5-0.

8. VILLAGE BOARD COMMENTS

Mike Serpe:

Yesterday, John, we had a very I think somewhat emotional ceremony at the veterans memorial at the Village at the lake. Very well handled. Very good job by you, John, and by everybody that participated. But the one person and maybe two that deserve a whole lot of credit here was John Steinbrink, Jr. and Kevin Meyers for putting that thing together. That's just a work of art. John, extend the Board's congratulations to Kevin and everybody else that worked on it. Great job. Great job.

Steve Kumorkiewicz:

Excellent.

John Steinbrink:

And that was done by our own Public Works and Parks Department. That ranks up there with any of them I've ever seen, even above. So I commend you folks on it.

Clyde Allen:

My congratulations go out to all the staff. If I started naming names you'd have to name everybody that did such a wonderful effort on Family Days. Rain sure didn't dampen the spirits. The fireworks were fantastic. Everybody put so much work into it, congratulations on everything. The one point that I want to say was really a highlight that kind of blew me away was the film festival. I was surprised, shocked. I never dreamed what it would be about and what it would be like. It was a wonderful thing. It was really great. Well done.

I need to thank Chief Wagner and Lieutenant Hunter for letting me ride along on third shift Friday night. I think the Village has now established a precedent that when I'm going to go riding it appears bars only serve soda. Nobody speeds. In Pleasant Prairie nothing goes wrong. So it was very quiet but I learned a great deal and I thank everyone for being so helpful.

John Steinbrink:

Just one more comment on the memorial. It's kind of unique to see that many factions of the community come together, the veterans groups, participants, ball players were there. It was a real cross-section of the community and everybody was there. The location that was chosen by the Veterans Ball Fields now, when we started this project we had two other locations we started with. And by I don't want to say delaying this, but the patience of making sure it was right has really turned out well. The comments I received from the public and those folks, the veterans,

those people with children in that location where it's going to be open to everybody and visible and they're going to pass by that as a reminder of what our veterans have done for us is just outstanding. I have to commend Commander Ron Hessel of the veterans groups, he kind of heads them all there, and his words were well spoken for it. Also having the parents of Erik Clark there, Bob and Joanne, Robert Marfechuk, that was something special. It meant a lot to their family and their friends. They made that event special. I think that's something we can look forward to come November, and the veterans have already talked to us on it, making this one of the locations to honor our veterans because of the prominence of the location. Pleasant Prairie has been lacking in something like this. Our VFW post kind of got together always at the cemetery down there by Southport School. That's in the City unfortunately, and most of the folks there were Civil War and maybe one Revolutionary survivor in there. This is going to mean something special to all of them. Their thoughts and their comments on them come back with what I've heard today and it's something I think we can be really proud of.

Steve Kumorkiewicz:

One last comment. I was impressed to see the three ladies, veterans, that came from Milwaukee for this. I was really touched.

John Steinbrink:

Other Board comments?

Monica Yuhas:

I would just to echo the comments of all the other Board members about Prairie Family Days. It was very well done. Volunteers did a great job, staff also. I had the honor of being a judge for the film festival and it was very insightful. We have a lot of talent out in Pleasant Prairie with these kids with these IComputers and what they can do with video. And also I was a judge for the Pleasant Prairie Idol and that was interesting. We have some singers out there. They were really good. I enjoyed myself a lot and it was a good time. Even though it rained the fireworks still went off without a hitch and it was a good time had by all.

9. **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.**

John Steinbrink:

The only other action taken after this will be to return to open session for the purpose of adjournment only. No other business will be conducted. Do I have such a motion?

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

John Steinbrink:

Once again the Board will return to open session for the purpose of adjournment only.

10. RETURN TO OPEN SESSION

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.

11. ADJOURNMENT

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 8:40 P.M.