

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 39th Avenue
Pleasant Prairie, WI
June 6, 2011
6:00 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, June 6, 2011. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Steve Kumorkiewicz, Clyde Allen and Mike Serpe. Also present were Michael Pollocoff, Village Administrator; Tom Shircel, Asst. Village Administrator; Jean Werbie-Harris, Community Development Director; Mike Spence, Village Engineer; John Steinbrink Jr., Public Works Director; and Jane Romanowski, Village Clerk. Two citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - MAY 16, 2011**

Monica Yuhas:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Any discussion?

YUHAS MOVED TO APPROVE THE MINUTES OF THE MAY 16, 2011 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

- 5. CITIZEN COMMENTS**

Jane Romanowski:

There were no sign ups tonight, Mr. President.

John Steinbrink:

Anybody wishing to speak under citizens' comments?

Village Board Meeting
June 6, 2011

6. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Nothing tonight, Mr. President.

7. NEW BUSINESS

A. Consider Engineering Services Agreement - Amendment No. 2 - for CDBG-EAP Funded Flood Recovery projects.

Mike Spence:

Mr. President and members of the Board, back in July of last year a contract for engineering services was approved with Crispell-Snyder to do engineering design. The Village received a community development block grant to address storm water issues in the south Kenosha area. Recently the engineering department requested a proposal from Crispell-Snyder to complete a design bidding package for to design a swale on the Manutronics property. This particular swale would replace an underground culvert that's currently there, and that's been a bottleneck causing flooding issues.

Originally the Village's public works department was going to perform this work, but because of scheduling issues and availability of equipment bidding the work right now is the most feasible option. So we've asked Crispell-Snyder for an amendment to include this. This scope would be put together plans for bidding and construction or bidding for construction of the swale on the Manutronics property. They've actually completed a part of it as part of the overall storm water.

This amendment includes the design activities and also construction services as needed. I recommend that this contract be approved. There is a typo in the memo there. It should be not for sustainable Village Green design. It should be for the Amendment 2 to the CDBG engineering contract. So I recommend approval.

Michael Serpe:

Mike, before Crispell-Snyder gave the bid for the construction of the swale what was the estimate cost for public works to do it?

Mike Spence:

I'm trying to remember if we actually--John, did you ever give us an estimate?

John Steinbrink, Jr.:

I don't believe that we actually completed an estimate. It's something that we were working towards, but because of the time restraints we just decided to pull back and bid the project. So we do not have an estimate at this time.

Village Board Meeting
June 6, 2011

Michael Serpe:

In your opinion, John, is this a reasonable estimate on work?

Mike Spence:

I should point out, Mike, this is just for the design. The construction services you lose a little bit of economy of scale because it's not a real big project. But I need to mention that we do monitor any kind of construction activities so that the Crispell-Snyder will only spend what's needed. If we don't need them out there inspecting when we do get a contractor we'll hold back on that. We set it up as an hourly so if they don't spend it they don't get paid for it.

Mike Pollocoff:

With respect to the construction, the proposed legislation this would be a project that would probably be in the \$250,000 to \$300,000 range. And under proposed legislation from the Governor and Joint Finance we wouldn't be able to do this one anyway. So rather than have us take bids and compare our price that's gone and everything goes out to public bid.

John Steinbrink:

Other comments or questions? Hearing none, we need a motion.

Michael Serpe:

Move approval.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde. Any further additional comments?

SERPE MOVED TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT - AMENDMENT NO. 2 - FOR CDBG-EAP FUNDED FLOOD RECOVERY PROJECTS WITH CRISPELL-SNYDER AS PRESENTED; SECONDED BY ALLEN; MOTION CARRIED 5-0.

B. Consider Professional Construction Engineering Services Agreement for the 2011 Paving Program.

Village Board Meeting
June 6, 2011

Mike Spence:

Mr. President and members of the Board, recently the Board approved the contract for Payne & Dolan to undertake the 2011 paving program. What you have before you tonight is a construction agreement with Crispell-Snyder to, again, assist the Village in the construction management of the program. Crispell-Snyder successfully did the management last year, and they become our eyes and ears when we can't be out there all the time.

The particular items they broke it up by segment and, again, the way this is set up if they don't spend it they don't get paid. So if there's a particular section of the paving that I can handle with my staff I will. But depending on their schedule and all that it's good to have them on retainer so we can have them inspect if we need it. So I believe, again, the costs are reasonable, and I would ask that the Board execute the contract.

Monica Yuhas:

I'll make a motion to approve the engineering service agreement for the 2011 paving program.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Further discussion?

YUHAS MOVED TO APPROVE A PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES AGREEMENT FOR THE 2011 PAVING PROGRAM WITH CRISPELL-SNYDER AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

C. Consider Resolution #11-14 - Authorizing Stover Development, LLC to complete grading improvements in the Devonshire Subdivision.

Mike Spence:

Mr. President and members of the Board, this particular resolution addresses the need to do some final grading in the Devonshire portion of the Village Green Park which is just west of where we are now. In the resolution it gives the history of what's transpired on this project, but originally there was a development agreement with Regency Hills-Devonshire for the development of the public improvements for this project.

Back in 2010 the Regency Hills Development breached its obligations and were unable to cure the breach. At that time we did demand a letter of credit from the bank, so we did get the money that was associated with this. And the original contractor, O & M, was supposed to do the drainage for this, but however they have restructured and reorganized to avoid bankruptcy. The members of O & M have resurfaced as Stover Construction, and they have agreed to perform the

Village Board Meeting
June 6, 2011

grading work for the Village Green Park for the amount that's left on the cash on deposit for the Village.

It should be pointed out that the original estimate was \$57,800 to complete this. In order to complete this plan for the \$20,000 that we have left, we've entered into an agreement with Land and Lakes to provide the topsoil at no charge from a pile of topsoil that is not too far from the vicinity of the park. So that will help to reduce the cost. So they're ready to go, and actually Stove has other material that they can bring to the site for the grading. It would be good to get this development because the costs are only going to go up if we don't get it done now and we have the ability to use the funds that we have. So I recommend that this resolution be adopted to allow the Village to work with Stover Development to complete this grading.

Michael Serpe:

I move approval, Mr. Chairman.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Mike, second by Monica. Any discussion?

Steve Kumorkiewicz:

Yes, I'm lost here. They're talking about . . . of O & M Now, I see part of it here it is Stover Development?

Mike Pollocoff:

It's not the developer. Stove is the contractor.

Mike Spence:

It's the contractor. I'm sorry.

Steve Kumorkiewicz:

Because here on the second page it says Stover Development

Mike Pollocoff:

Stover, LLC is a contractor that since their developer has gone out of business and the developer's contractor has gone out of business, Stover who is composed of some of the original contractor's employees they're basically looking at this is a way to be able to get back some of

Village Board Meeting
June 6, 2011

the money that still exists in the letter of credit that the Village holds to get this done. But they need as a new entity, an LLC, need to get permission to go back onto the site to do the work because there's no contract. The Village doesn't hold a contract and there's no contract through the developer because the original developer is gone. It's not the developer's property to enter into an agreement. So that's why the permission is needed.

Steve Kumorkiewicz:

So actually the Stover Development and Stover Construction is the same company?

Mike Spence:

Yes.

Steve Kumorkiewicz:

It's the same?

Mike Spence:

Yes. It's one entity. I don't know if they were referred to two different ways. That's not the intention, but it is one contractor.

Steve Kumorkiewicz:

Yes, because it's confusing reading this. One is a developer and the other one is a contractor. So both are Stover.

Jean Werbie-Harris:

Stover Development is the contractor. That is not the developer.

Mike Spence:

Stover Development is the contractor, Steve, not the developer.

Steve Kumorkiewicz:

Okay.

John Steinbrink:

We had a motion and a second. Further discussion?

Village Board Meeting
June 6, 2011

SERPE MOVED TO ADOPT RESOLUTION #11-14 - AUTHORIZING STOVER DEVELOPMENT, LLC TO COMPLETE GRADING IMPROVEMENTS IN THE DEVONSHIRE SUBDIVISION; SECONDED BY YUHAS; MOTION CARRIED 5-0.

D. Consider Beverage Agreement for Pepsi Beverages Company as the sole beverage distributor at Village owned and operated locations.

Monica Yuhas:

Mr. President, I'd like to recuse myself from Item 7D due to the fact that I have an immediate family member employed through Pepsi.

John Steinbrink:

Okay, that will be noted.

Mike Pollocoff:

Mr. President, RecPlex has maintained beverage agreements. We've had them with Coke. Most recently we've had them with Pepsi Cola General Bottles, Pepsi Beverages Company. The previous agreement was for five years, and the pending agreement is also for five years. We've reviewed the proposed agreement. Pepsi submitted the better package from a standpoint, significantly better. And, as such, RecPlex and myself are recommending that a five year contract be granted to Pepsi for the beverage contract at RecPlex along with the other Village facilities which would be the fire station, Village Hall and public works similar to the last two beverage agreements we've had.

Michael Serpe:

Mike, you said this was put out?

Mike Pollocoff:

Yeah, this was put out to competitive bid. The two respondents were Coke and Pepsi.

Steve Kumorkiewicz:

I move to approve the agreement. I see in five years we're going to get \$45,000?

Mike Pollocoff:

Correct.

Michael Serpe:

I'll second his motion.

Village Board Meeting
June 6, 2011

John Steinbrink:

Motion by Steve, second by Mike. Further discussion?

KUMORKIEWICZ MOVED TO APPROVE A BEVERAGE AGREEMENT FOR PEPSI BEVERAGES COMPANY AS THE SOLE BEVERAGE DISTRIBUTOR AT VILLAGE OWNED AND OPERATED LOCATIONS; SECONDED BY SERPE; MOTION CARRIED 4-0 WITH YUHAS RECUSING HERSELF FROM A VOTE AS A FAMILY MEMBER IS EMPLOYED BY PEPSI BEVERAGES COMPANY.

E. Consider award of contract for mowing noxious weeds in various vacant lots within the Village.

John Steinbrink, Jr.:

Mr. President and members of the Board, May 18, 2011 a bid announcement for mowing noxious weeds was posted. We received three bids on May 31st. We did have an attached bid tab located on there, and we actually broke it down to a fixed cost per lot and then a cost of hourly labor for a push mower and weed whacker, an hourly rate for a 36 and 72 inch lawn mowing operation, and then a couple other larger operations.

After going through and comparing the three bids that we received, Kenosha Grounds Care came in with the lowest bid per hour if you go down and tally all those up. With the noxious weed season in full bloom right now, I do recommend Kenosha Grounds Care for the mowing of noxious weeds for the Village of Pleasant Prairie this year under the amounts listed in the bid tab.

John Steinbrink:

Does this include the foreclosed properties that we get complaints on then, too?

John Steinbrink, Jr.:

Yes, it does.

Mike Pollocoff:

Public Works would send the contractor to go mow.

Clyde Allen:

John, can you tell me first are we still mowing what the State is not paying us for?

John Steinbrink, Jr.:

Yes, we are.

Village Board Meeting
June 6, 2011

Clyde Allen:

Secondly, these charges all go onto the tax rolls then, correct, they're billed to the customer?

John Steinbrink, Jr.:

Yes, through the bill it goes directly to the property owner with an administrative cost for our time to process the paperwork.

Clyde Allen:

Okay, thank you. I guess with that I make a motion to approve.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike for approval. Further discussion?

Steve Kumorkiewicz:

I've got a question. I see properties that are vacant for years never built, just a lot. And they've got trees that dies years and years ago. I'm afraid they're going to fall in the road. Right on the corner of 41st and 122nd is a typical example. What do we do with those?

John Steinbrink, Jr.:

Any trees that are dying in the right of way public works will go through and remove them. Any trees that are on private property it would be the property owner's responsibility to maintain and remove those trees at their expense.

Steve Kumorkiewicz:

They're out of the right of way.

John Steinbrink, Jr.:

They're out of the right of way you had said?

Steve Kumorkiewicz:

Yes.

Village Board Meeting
June 6, 2011

John Steinbrink, Jr.:

Then it would be the property owner's responsibility to have that tree removed if it is a danger.

Steve Kumorkiewicz:

I will file a complaint then. Thank you.

John Steinbrink:

We had a motion and a second. No further discussion.

ALLEN MOVED TO AWARD A CONTRACT TO KENOSHA GROUNDS CARE FOR MOWING NOXIOUS WEEDS IN VARIOUS VACANT LOTS WITHIN THE VILLAGE AS PRESENTED; SECONDED BY SERPE; MOTION CARRIED 5-0.

F. Consider award of contract for underground utility locating services.

John Steinbrink, Jr.:

Mr. President and members of the Board, on May 5, 2011 a bid announcement for underground utility locating services was posted. On the 20th Public Works received bids for a two year contract for underground utility locating services and we did receive three bids with that. The Village is responsible to locate any underground utilities which we do own and operate which would be the sewer, the water, the storm, any street lights that the Village has ownership of and a small amount of fiber optic.

Over the past year the Village spent about just over \$80,000 in labor and vehicle expense in locating services and paying administrative costs to complete this process. We were able to get a bid of just under \$60,000 to have this contracted out. Then any utility staff that was working on the locates would be reassigned to a budgeted vacant position within the utility department. So we do recommend moving forward and contracting out locating services with Precise Engineering.

John Steinbrink:

Do they then assume the liability if they were in error when they mark them?

John Steinbrink, Jr.:

Yes, they do. They do receive any liability as written in the contract.

John Steinbrink:

And it would only be for our sewer, water, storm sewers?

Village Board Meeting
June 6, 2011

John Steinbrink, Jr:

Right, that is correct. We Energies is responsible for marking the gas and electric and the telephone company is AT&T responsible for marking their own lines.

Michael Serpe:

Move approval.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Mike, second by Monica. Further discussion?

SERPE MOVED TO AWARD OF CONTRACT FOR UNDERGROUND UTILITY LOCATING SERVICES TO PRECISE ENGINEERING AS PRESENTED; SECONDED BY YUHAS; MOTION CARRIED 5-0.

G. Receive Park Commission recommendation and consider an award of contract to prepare a Master Park Plan.

John Steinbrink, Jr.:

Mr. President and members of the Board, on March 18th a bid announcement for improvements and updates to the Master Park Plan was posted. We did receive eight bids as identified on your memo with the lowest being Public Research Group. Public Research Group is also completing the master recreation plan for the RecPlex, and I believe that's probably why we got such a good price from them, because they are able to go through and duplicate a lot of the work as far as the survey and the other work. They had done some work for the RecPlex in the past, and I know that we've been very happy with a lot of the work that they have done for us so I do recommend it.

The upgrades that we're looking to do are plans for three locations within Pleasant Prairie. One would be the Sewer D area. Another one would be development of the area just north of Prairie Springs Park. And the final component would be a development plan for the Lake Michigan Parkland. So we do recommend award of contract to Public Research Group in the amount not to exceed \$11,500 to Public Research Group.

Steve Kumorkiewicz:

So moved.

Village Board Meeting
June 6, 2011

Michael Serpe:

Second.

John Steinbrink:

Motion by Steve, second by Mike. A question why there's a \$200,000 spread up there?

Michael Serpe:

Yes, exactly. Where is Teng & Associates from?

John Steinbrink, Jr.:

I'm not really sure. I really didn't do a lot of research or call them once I saw the bid. All the companies that I had contacted myself came in at just under \$20,000 and they really got a good feel what we were looking for. I would guess that some of the ones that bid a little bit more took out of context what some of the survey work was. I would assume that they planned on going through and actually doing the survey work themselves with their own equipment versus just using the County data information.

Steve Kumorkiewicz:

What a difference.

John Steinbrink, Jr.:

But they're not being considered for the award this evening.

John Steinbrink:

We have a motion and a second. Any further discussion?

KUMORKIEWICZ MOVED TO CONCUR WITH THE PARK COMMISSION RECOMMENDATION AND AWARD A CONTRACT TO PUBLIC RESEARCH GROUP TO PREPARE A MASTER PARK PLAN AS PRESENTED; SECONDED BY SERPE; MOTION CARRIED 5-0.

H. Consider accepted offer to purchase 4.3 acres of land located at 3803 Springbrook Road from the Federal Deposit Insurance Corporation.

Mike Pollocoff:

Mr. President, representatives of FDIC recently made the 4.3 parcel which is directly adjacent to the Village Hall to the north as you can see on the map on the overhead available. It was originally owned by First Banking Center. And with the failure of that bank FDIC ends up with

Village Board Meeting
June 6, 2011

possession of it. We tried to acquire that property about 20 years ago through eminent domain and the price was about a million dollars at that point. And I think that was probably overpriced at that time. We decided not to proceed with it.

And the reason for looking to acquire it back then and the reason for acquiring it now is not that we'd be engaging any immediate building plans. I mean the only thing we could really use in the short term would be some additional parking space in this lot. But it preserves the option for future Village Boards to have this land available if some kind of modifications or additions are needed somewhere down the road and still have this all be at one campus. In the interim I spoke with public works and they're going to maintain it as parkland and clean it up a little bit and keep it mowed and keep it as open space and keep our options available.

FDIC was asking for \$268,000. I made an initial offer of \$250,000 which was accepted contingent on Village Board approval. If the Board grants approval tonight we would set up a closing for the 10th to be transferred to the Village. The financing of this, we've had one project, the sanitary sewer extension to vacate Sewer D which has come in under budget, so I'd be looking to transfer that capital from the Sewer Utility to the general fund in order to finance this improvement. With that, Mr. President, it's my recommendation that the Village authorize myself to enter into a purchase agreement with the FDIC to acquire this property.

Clyde Allen:

Mike, on the west end there's a triangle that's not highlighted in green. The corner of Springbrook-

Mike Pollocoff:

That's right of way.

Clyde Allen:

That's all right of way. And who owns it? Isn't that drainage in there?

Mike Pollocoff:

There's a low spot in there but it's County.

Clyde Allen:

So the County owns it and that's for future right of way? Is anything going to happen to that spot?

Mike Pollocoff:

I think they're going to keep it until at some point-right now the Village and the County received a grant from the State to improve 39th Avenue two years from now. There could be a roundabout

Village Board Meeting
June 6, 2011

analysis that's done on that and they may keep that open. But in my discussion with the County in previous years they want to be able to have that right of way stay where it is until some ultimate design is done for that intersection. Since this area is going to be subject to some growth over the next 10 to 20 years I think that's a good idea.

Clyde Allen:

Okay, thank you. Unless there are other questions I'd like to make a motion to approve.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Clyde, second by Monica. Further discussion?

ALLEN MOVED TO AUTHORIZE THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT TO PURCHASE 4.3 ACRES OF LAND LOCATED AT 3803 SPRINGBROOK ROAD FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION IN THE AMOUNT OF \$250,000; SECONDED BY YUHAS; MOTION CARRIED 5-0.

John Steinbrink:

That's something years ago we looked. It's amazing if you wait what comes along.

I. Consider Resolution #11-15 - Authorizing application for grant assistance for the development of the Pleasant Farms Trail.

Tom Shircel:

Mr. President and fellow Trustees, through this resolution the Village is seeking the Board's approval to apply to the Wisconsin Department of Natural Resources for a grant for assistance for monies to develop the Pleasant Farms Trail. That's the trail, as you're well aware, running from Wilmot Road through the abandoned Sewer D plant and southward and then ultimately eastward to 88th Avenue. It's the trail that coincides with the installed 24 inch sanitary sewer main. So through this resolution we're seeking the Board's approval to apply for a grant through the DNR to look to receive monies for development of that trail. If there's any questions I'll be happy to answer them.

Steve Kumorkiewicz:

What are the chances for us to get any money?

Village Board Meeting
June 6, 2011

Tom Shircel:

The chances are many municipalities apply for these grants. They're awarded on a point system. The grant application is due by next Thursday the 15th I believe, so it is a competitive process. And the chances are how good the application is and how many different municipalities apply for grants.

Steve Kumorkiewicz:

So we can assume the answer is going to be no but we are going to apply.

Tom Shircel:

The only way to know is to apply, correct.

Steve Kumorkiewicz:

I'll make a motion to approve Resolution 11-15.

Monica Yuhas:

Second.

John Steinbrink:

You can't win unless you enter. Motion by Steve, second by Monica. Further discussion

KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #11-15 - AUTHORIZING APPLICATION FOR GRANT ASSISTANCE FOR THE DEVELOPMENT OF THE PLEASANT FARMS TRAIL; SECONDED BY YUHAS; MOTION CARRIED 5-0.

J. Consent Agenda

- 1) Approve Bartender License applications on file.**
- 2) Approve Renewal of Towing Licences.**
- 3) Approve Renewal of Keno Outdoor Theater License.**

Michael Serpe:

Move approval of 1, 2 and 3.

Monica Yuhas:

Second.

Village Board Meeting
June 6, 2011

John Steinbrink:

Motion by Mike, second by Monica. Any discussion on any of the items?

SERPE MOVED TO APPROVE CONSENT AGENDA ITEMS 1-3; SECONDED BY YUHAS; MOTION CARRIED 5-0.

8. VILLAGE BOARD COMMENTS

Mike Pollocoff:

This weekend we've had the first paraplegic I guess it was a triathlon out at Prairie Springs Park. There was I believe 19 athletes. It was really a nice event. They did the lake, they did the pool, the indoor track, the bike course around the lake. It was well received. A lot of people found some nice things that the facility accommodates handicapped individuals. And the RecPlex did a really good job of putting that event on. It was also the first weekend for the Village's newly constituted swim team to have their first meet at RecPlex and the Aqua Arena. I think it was 700 swimmers – a lot of people that were out of town spending money.

John Steinbrink:

The paraplegic was covered by Channel 6. They did a very nice job. They talked about it was the first time for some folks or one gentleman to actually put on the apparatus that would allow him to run. He was just amazed. There were a lot of people there from the Chicagoland area which means they've definitely taken notice of us through out other triathlons and people coming here. It's amazing how many people participate in the triathlons and come back for another event or make sure they come back for that same event when it's redone. How many triathlons are we going to have out there this summer, Mike?

Mike Pollocoff:

Three. Three adults and three youth. The first one is the 26th of June and the kids is the 25th. I think we already have 1,000 or 1,100 adults registered for that one. Of course, Trek is the big one. We're going to wait and see how far over 3,000 they kid. And then Danskin in August.

Steve Kumorkiewicz:

Which one is the one that brings their own people?

Mike Pollocoff:

Trek and Danskin both bring their own people now.

Steve Kumorkiewicz:

So they still need volunteers or no?

Village Board Meeting
June 6, 2011

Mike Pollocoff:

They still need volunteers but they bring their own race directors.

John Steinbrink:

Further Village Board comments?

9. ADJOURNMENT

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY ALLEN; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 6:35 P.M.