

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY**

**9915 39th Avenue
Pleasant Prairie, WI
March 21, 2011
6:00 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, March 21, 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; and Jane Romanowski, Village Clerk. Two citizens attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CONSIDER ENTERING INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1)(G) 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 WITH WALGREENS CO. REGARDING PROPERTY TAX ASSESSMENTS.

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

4. RETURN TO OPEN SESSION

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

5. ROLL CALL AT 6:00 P.M.

Clyde Allen:

I'd like to request a moment of silence for Office Birkholz.

John Steinbrink:

If we could just bow our heads in a moment of silence. Thank you.

Village Board Meeting
March 21, 2011

6. MINUTES OF MEETINGS - MARCH 7, 2011

Monica Yuhas:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Any discussion on those meeting minutes?

YUHAS MOVED TO APPROVE THE MINUTES OF THE MARCH 7, 2011 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

7. CITIZEN COMMENTS

Jane Romanowski:

There were no signups tonight, Mr. President.

John Steinbrink:

Anybody wishing to speak under citizens' comments?

8. ADMINISTRATOR'S REPORT

Mike Pollocoff:

All I have as Trustee Allen we had a moment of silence for Craig Birkholz. Craig was a Village resident. His family still lives in the Village. We'll be letting everybody know the Village Police Department is going to be taking the lead for any ceremonies or things that happen this week when they come back. He was a nice young man. I had an opportunity to know him when he grew up. He was in Tremper Golden Strings. He was a good wrestler. He was an upstanding young man. It's a real loss for the community. He had really good parents, too. I think there's a ceremony that's going to be in Fond du Lac on Wednesday and they'll be looking to come back down here on Monday. When that gets together I'll get the word out to everybody.

9. NEW BUSINESS

A. Consider Relocation Order for public road right-of-way and street construction access in the vicinity of the Chateau Eau Plaines Subdivision north to STH 50.

Village Board Meeting
March 21, 2011

Mike Pollocoff:

Mr. President, this relocation order is for the purpose of acquiring right of way as part of our Village portion of the Highway 50 reconstruction project. If you think back to the agreement we made with the State of Wisconsin, the Village agreed at that point to acquire right of way for local roads that would access the State highway and act as local traffic roads.

This project here involves the construction of a road that would be 109th Avenue roughly coming from Highway 50 south to 77th Avenue, and as such one parcel that's been created by a certified survey map, 91-4-122-071-0040 would be acquired, and two parcels that are in the final plat of Chateau Eau Plaines would also be acquired. We'd be looking to sell a portion of that first lot off as a remnant once we complete the work as part of that. So this is the process where we file this relocation with Kenosha County so that everybody is on notice should a property transaction take place that they would know that there's an anticipated eminent domain action that could occur on this property.

With the adoption of this we'll order appraisals and begin the negotiation process with the affected property owners. So I'd request that the relocation order as presented be adopted and the Village President be authorized to execute it.

Steve Kumorkiewicz:

I'll make a motion with a question.

Michael Serpe:

Did you say you make a motion?

Steve Kumorkiewicz:

Yes, I make a motion with a question.

Michael Serpe:

I'll second that motion.

John Steinbrink:

Motion by Steve, second by Mike. Steve?

Steve Kumorkiewicz:

Mike, I was looking at 91-4-122-071-1540. That's a cul-de-sac over there that's already platted. There's a corner over there that goes right to the cul-de-sac. That's going to be part of the—how are you going to work . . . for that?

Village Board Meeting
March 21, 2011

Mike Pollocoff:

If you can visualize the west line of the CSM parcel, that line is going to come straight down, and then there's going to be another straight line that comes down at the corner of that trapezoid parcel. That will give us our 66 foot right of way. So we'll have some—on all parcels we'll have some surplus remnant land, and as this plat is reconsidered and changed, because remember we're doing a detention basin in this parcel, then we'll reconfigure this and move those surplus or remnant parcels off to another property. So the existing plat doesn't cleanly identify the road, but based on what we know about the transportation plan for 50 this is where we need to bring it down to 77th Avenue.

Steve Kumorkiewicz:

So we're talking about the parcel -0040 right here coming from Highway 50 it can be 66 feet for . . . straight down south and then . . . the curve or going to be a continuation of that?

Mike Pollocoff:

It would be a continuation.

Steve Kumorkiewicz:

Okay, thank you.

John Steinbrink:

This will all be done by an engineering company, right?

Mike Pollocoff:

Right.

John Steinbrink:

We had a motion, we had a second. Any further discussion?

KUMORKIEWICZ MOVED TO APPROVE RELOCATION ORDER FOR PUBLIC ROAD RIGHT-OF-WAY AND STREET CONSTRUCTION ACCESS IN THE VICINITY OF THE CHATEAU EAU PLAINES SUBDIVISION NORTH TO STH 50; SECONDED BY SERPE; MOTION CARRIED 5-0.

Village Board Meeting
March 21, 2011

B. Consider denying the claim of excessive assessment for 2010 filed by Walgreens Co.

Mike Pollocoff:

Mr. President, we received a claim from Walgreens for an excessive claim pursuant to Chapter 74.37. I'm recommending that the claim for excessive assessment be denied.

Steve Kumorkiewicz:

So moved.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. Further discussion?

KUMORKIEWICZ MOVED TO DENY THE CLAIM OF EXCESSIVE ASSESSMENT FOR 2010 FILED BY WALGREENS CO.; SECONDED BY YUHAS; MOTION CARRIED 5-0.

C. Consider approval of a settlement between Walgreens Co. and the Village for the property tax assessments years 2006 through 2010.

Mike Pollocoff:

Mr. President, in our last item we denied a claim that was currently active for Walgreens, and that was necessary in order to facilitate the settlement that the two parties have reached. The excessive assessment that was filed against the Village from years 2006 to 2010, and this is for their property located at 7520 118th Avenue, the settlement—they claim that their assessment should be \$2 million. The settlement recognizes an average assessed value of \$3,100,000 over that five year period. As such the settlement amount is \$100,932 which will be charged back to the taxing agencies as part of this. \$81,000 will be charged back to the other taxing entities. I've reviewed this as has Rocco with legal counsel. I'm recommending that the Village accept the settlement as negotiated by our attorney.

Michael Serpe:

I move approval.

Monica Yuhas:

Second.

Village Board Meeting
March 21, 2011

John Steinbrink:

Motion by Mike, second by Monica. Any further discussion on this item?

SERPE MOVED TO APPROVE A SETTLEMENT BETWEEN WALGREENS CO. AND THE VILLAGE FOR THE PROPERTY TAX ASSESSMENTS YEARS 2006 THROUGH 2010; SECONDED BY YUHAS; MOTION CARRIED 5-0.

D. Consent Agenda

- 1) **Approve Bartender License applications on file.**
- 2) **Approve a release of the Letter of Credit for the 76th/77th Street and 99th Avenue development.**

Monica Yuhas:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Clyde Allen:

Thank you, Mr. President. Jane, I know Chief Wagner reviews these, the bartender applications, and I have a lot of concern on the one applicant Mr. Spangler. First thing that caught my eye was nature of offenses and it says see attached. Kind of you look at all those and they're not all alcohol related but he does have several. Has Chief Wagner looked at this and approved this?

Jane Romanowski:

According to Vesna's notes he did. Everything is more than five years old, and our matrix is set up for a five year period. So, yes.

Clyde Allen:

I just want to make sure he's looked at and approved it and letting it go.

Jane Romanowski:

Yes, he has.

Village Board Meeting
March 21, 2011

John Steinbrink:

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

YUHAS MOVED TO APPROVE CONSENT AGENDA ITEMS 1 & 2; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

10. VILLAGE BOARD COMMENTS – None.

11. ADJOURNMENT

YUHAS MOVED TO ADJOURN THE MEETING; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 6:20 P.M.