

**VILLAGE OF PLEASANT PRAIRIE  
PLEASANT PRAIRIE VILLAGE BOARD  
PLEASANT PRAIRIE WATER UTILITY  
PLEASANT PRAIRIE SEWER UTILITY  
9915 - 39th Avenue  
Pleasant Prairie, WI  
November 7, 2011  
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, November 7, 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 Mike Pollocoff, Village Administrator; Tom Shircel, Assistant Administrator; Kathy Goessl, Finance Director; Jean Werbie-Harris, Director of Community Development; Doug McElmury, Asst. Fire and Rescue Chief; Brian Wagner, Police Chief; Rocco Vita, Village Assessor; and Jane Romanowski, Village Clerk. Four citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - OCTOBER 17 AND 24, 2011**

**YUHAS MOVED TO APPROVE THE MINUTES OF THE OCTOBER 17 AND OCTOBER 24, 2011 VILLAGE BOARD MEETINGS AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**5. CITIZEN COMMENTS**

Jane Romanowski:

We have one signup tonight, Michael Rodgers.

John Steinbrink:

Michael, if you could use the microphone and give us your name and address for the record.

Michael Rodgers:

Hi, my name is Michael Rodgers. Address 9004 24<sup>th</sup> Avenue. I'm here for Section C which says consider a relocation order encompassing 19 parcels of land south of Kenosha storm sewer project. I would like our property, 9004, I would like the Board to exclude us from that property. We had tried to ask for a ten foot easement, and I was more than happy to sign for a ten foot easement. They still persisted for a 20 foot easement which leaves like six inches from the side of my house. I think that's slightly unrealistic for a dollar. So that's why I'm here to see what this relocation order – it sounds like you're not asking us anymore for an easement. It sounds like you're just trying to just take an easement so that's why I'm here.

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John Steinbrink:

Okay, thank you. Anyone else wishing to speak under citizen's comments? Seeing none, we'll close citizens' comments.

**6. ADMINISTRATOR'S REPORT**

Mike Pollocoff:

I have nothing tonight, Mr. President.

**7. NEW BUSINESS**

**A. Consider Resolution #11-34 recognizing Paul G. Guilbert Jr., Chief of Fire and Rescue, for 25 years of honored and dedicated service to the citizens of Pleasant Prairie.**

Mike Pollocoff:

Mr. President, this is a resolution that everybody has signed. And the timing on this was such that we presented it to Chief Guilbert at his retirement party. It recognizes the Chief in his career as a firefighter, command officer, an instructor. It talks about the many fine things he accomplished. I was actually hoping he'd be here tonight, so we can make some stuff up since he's not here. I'll just read it for the audience and we'll get it in the record.

Whereas Paul G. Guilbert, Jr., after an exemplary career as a firefighter, command officer and fire instructor in the State of Connecticut was named the Town of Pleasant Prairie Fire Chief in October 1986;

And whereas Chief Paul G. Guilbert readily accepted the challenge of turning a small rural fire department into a professional fire department capable of responding to a variety of risks and exposure in a manner that respected the necessity for the safety of department employees;

And whereas Chief Paul G. Guilbert, Jr., led the fire department into the provision of paramedic rescue services becoming the smallest municipality to provide such service thus creating the Pleasant Prairie Fire and Rescue Department;

And whereas Chief Paul G. Guilbert, Jr., through strategic equipment purchases, fire response planning and the use of sprinkler systems in commercial and manufacturing uses has elevated the Village's ISO fire insurance rating from Class 7 to Class 3 saving taxpayers considerable money and helping to make the Village a more desirable location for business interests;

And whereas Paul G. Guilbert worked to make Mutual Aid Box Alarm System of Wisconsin a reality and a tool used by every department on a daily basis and also became the first President of MABAS Wisconsin;

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And whereas Paul G. Guilbert is retiring from retiring the Village after 25 years of service to Pleasant Prairie and 41 years of service in municipal government in one of the most honored professions, a firefighter and a paramedic;

Now therefore be it resolved by the Village Board of the Village of Pleasant Prairie on behalf of the citizens and employees that Chief Paul G. Guilbert, Jr., be honored and sincerely thanked for his service to our Village and he live the rest of his life in peace surrounded by his family. Considered and adopted this November 7, 2011. Actually it was considered and adopted on the 28<sup>th</sup> at his party. So my request would be that the Board reaffirm the resolution.

Clyde Allen:

I'd like to make a motion to approve Resolution 11-34.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike. Any discussion? The Chief is probably out paying back all those speakers that spoke and roasted him at the party. He's got a list of at least 20 to contact. He's going to be busy.

**ALLEN MOVED TO ADOPT RESOLUTION #11-34 RECOGNIZING PAUL G. GUILBERT JR., CHIEF OF FIRE AND RESCUE, FOR 25 YEARS OF HONORED AND DEDICATED SERVICE TO THE CITIZENS OF PLEASANT PRAIRIE; SECONDED BY SERPE; MOTION CARRIED 5-0.**

**B. Consider Professional Engineering Services Agreement for the RecPlex Park and Ride project.**

Mike Spence:

Mr. President and members of the Board, before you you have an agreement with the consulting firm R.A. Smith National to do some engineering services for the Village. Maybe a little background. This is for a proposed park and ride facility that is proposed to be located near the RecPlex off of Terwall Terrace. The way this came about is Kenosha County received some funding. It's from the Congestion Mitigation and Air Quality funding arm from the DOT. And Kenosha County was looking for a place to put a park and ride. The original location was located at the southeast corner of I-94 and State Highway 50. However, there are some environmental concerns there as well as space limitations and also ease of getting in and out of that area.

So the Village and the County as well as the DOT entered into discussions about the possibility of putting a park and ride at the RecPlex. We were able to show the County and the State the

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potential merits of having a park and ride there. Although it's not right at the intersection that normal park and rides have, because of the nature of the development between the RecPlex and the Interstate, the ability to get to the Interstate is greatly minimized. Matter of fact the original location at State Highway 50 because of the traffic there we suspect it would almost take them as long to get on the freeway from there as it would from going from the park and ride.

So what you have before you this evening is a proposal for engineering services from R.A. Smith National to start this process looking at the site and some preliminary engineering for the park and ride. There are a few challenges on this site. The picture that you see there is just a very conceptual drawing of what parking might look like there. But there are some wetlands and some environmental issues that we have to address. So the first order of business in this contract would be for the consultant to work with us to address wetlands, and there's a stream there that we need to either relocate or cross in order to make this happen. So this contract, again, is to start that process and do the preliminary engineering.

I guess the other concept that's part of this just to mention is we're looking at the possibility of putting in some retail here, too. The State is considering it a commuter facility, and as such there's a potential that either some type of sandwich shop, restaurant, cleaners, facilities like that might be a good use in this area. So those conceptual plans will consider layouts of facilities like that as well. The contract is for \$14,900. It includes some conceptual development layouts. The consultant will do some hydrolic analyses of the stream in the area and then also start the permitting for this project. With this information I recommend approval of this contract to R.A. Smith National.

Michael Serpe:

Mike, a couple questions for you if I may. I don't disagree with the concept for a park and ride. I think it's a good idea. What I do have a little concern is that at least four days a year this area would be closed off to any traffic during our triathlons and our Prairie Family Days, the fireworks. And people parking there let's say for an extended period of time, two or three or four days, coming back on the day of the event may have a difficult time at all trying to get into their vehicle.

Secondly, this being a very secluded area, I would highly recommend that we consider having some type of surveillance camera that would be connected to the police department as we have in the Prime Outlets and elsewhere. Those are my two concerns. I don't know how serious the concerns are with reference to the closing of 165 on the days of our events. But people park in there and they may not be paying attention to what's going on in the Village would be considerably upset if they had to wait four or five or six hours to get their vehicle. So just a thought.

Mike Spence:

I can take an attempt at answering that. I think as far as the extended parking and that I understand that's a concern, and I think as we move forward I think we could talk with the DOT in terms of how to address that. I believe we're probably not unique. Well, I shouldn't say that,

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but there are probably other areas and park and rides that have restrictions at certain times of the year. So I think we could certainly address that.

And I also agree that I think the preliminary concepts would also include lighting and surveillance cameras for security. And I should mention, I guess one of the other win-win benefits is that the time when we would expect actually the lower commuter parking on the weekends is when we would be able to utilize it for overflow parking for RecPlex events. So it's really kind of good timing. But certainly we would work with the DOT to find out. Maybe it becomes advance notice and signage. I'm not sure. I think in the past I know like for Prairie Family Days I believe the road was open at least to that area, because we did have overflow parking. Now, the triathlons maybe that's a different story so we'd have to work that out.

Michael Serpe:

Just another thought as you were talking, Mike. The RecPlex is not getting any less busy as it continues to grow. Are we sure that we want to give up this possible future parking expansion for our own use instead of a commuter use?

Mike Pollocoff:

I think one of the advantages of this is that typically the commuter use is during the day time - they get in the morning and get out at night. We peak in the evening and we peak on the weekends. So it would be something when the commuter uses are at their least amount then that's when the RecPlex uses could be their greatest. But I guess I view it as a win-win. The State builds the parking lot for us so that means we don't have to. But if we were to build our own parking lot there just like the lot at RecPlex during the daytime it's fairly open. I think what we really need it for is on the weekends and evenings and maybe for those peak events like triathlons or what have you. It would really be a matter of balancing out the two needs. Because I'm sure we probably want to leave some spaces for commuters on the weekends or into the evenings. But the map Mike showed you is roughly 390 spaces so it's quite a bit. But it would be one opportunity to have that funding work out so it wouldn't be something that the Village would have to pay for. I think it would address two problems.

Clyde Allen:

Mike or Mike, am I wrong, isn't that about the area where the cell tower is going to go?

Mike Pollocoff:

No.

Mike Spence:

It's to the east of that. You want to point that out, Jean? I mean to the south, I'm sorry.

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Clyde Allen:

Okay, so it will be on the other side of that new road?

Mike Spence:

Correct.

Clyde Allen:

Okay, thank you.

Steve Kumorkiewicz:

I've got a little problem on this. In the plan we propose 400 parking spaces, correct, originally?

Mike Pollocoff:

Approximately, yeah.

Steve Kumorkiewicz:

So right now we have a gravel road going to (inaudible) the County what kind of service are they going to provide for this? It's going to be a bus service? It's going to be buses going over there?

Mike Pollocoff:

No, it's a park and ride.

Mike Spence:

It's a park and ride where people, commuters meet there. They make arrangements and then they car pool to their destination. There isn't like a freeway flyer or something like that proposed at this point.

Steve Kumorkiewicz:

The question is this, but usually commuters are going to use that during the week, not during the weekends?

Mike Spence:

Correct.

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Steve Kumorkiewicz:

Okay. Are we going to give out the prime parking spaces over there for this project?

Mike Spence:

I'm not sure what you mean.

Steve Kumorkiewicz:

What I mean is it's a good parking lot for the people that go over there regularly. Is it going to be dedicated to the DOT?

Mike Spence:

No. Typically park and rides are first come, first serve. So when you enter the parking lot you park wherever you want. The only dedicated parking spots would most likely be for handicapped individuals. But other than that I don't think we're anticipating – we wouldn't park these spaces as preferred for whomever. It would be whoever comes to the lot.

Steve Kumorkiewicz:

My question is this. We've got 400 spaces planned over there. Are they going to be for 400 spaces that the DOT is going to pay for?

Mike Spence:

Yeah, the whole win-win of the project is that the County has gotten money from the DOT to build a park and ride, and what we've done is we've agreed in principle with the DOT and Kenosha County that they're going to transfer those funds to this location to allow the park and ride to be built here. So the Village would not be paying for this and yet we would be able to use it. And as Mike indicated it's a win-win because the times that we need additional parking for the RecPlex are in the evening and on the weekends which is when commuters typically wouldn't be using this lot. And the number of spots is really dependent upon the final design, because we're looking at maybe putting some retail there, too. So that number is not cast in stone at this point.

Steve Kumorkiewicz:

So we're going to use it for retail also over there? Right now that's all for recreational.

John Steinbrink:

Steve, they're providing the funds to do this. We do not have the funds to do this.

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Steve Kumorkiewicz:

Okay, but.

John Steinbrink:

We win at this.

Steve Kumorkiewicz:

Okay.

John Steinbrink:

We're a winner at this and if you look at the economics of Highway 50 this is a win for them. So together we both win at this. If you look at a typical park and ride there's no way you're going to put 390 cars in there.

Steve Kumorkiewicz:

I hope so.

Mike Spence:

Right, the actual amount is going to be dependent on how we design around the wetlands and some of the challenges that we have on the site. The other thing that I think I mentioned in my memo, too, we believe that there are people that are actually using one of our lots there already as a park and ride. Because they don't appear to be working at the RecPlex, they don't appear to be customers, so they meet there early and they go on their way.

Michael Serpe:

John, I'd move to authorize the Village Administrator–

John Steinbrink:

We have one more comment here.

Monica Yuhas:

Who is going to do the snow plowing? Is it going to be County or is it going to be the Village?

Mike Spence:

I think that's something – I don't know. Mike, I don't believe we've discussed that yet.



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Mike Pollocoff:

I guess we might be looking to get an agreement with them where if we feel like we want to get in there and get it down, because on the County route it will be the last one done. We can get paid to do it and we'd go in and do it.

Mike Spence:

Yeah, we think typically as a quasi-County facility they would be first to plow it but, again, if we wanted to make some other arrangements I'm sure we could.

Mike Pollocoff:

Before we can get into all those points we need to come up with a concept plan to advance it forward.

Steve Kumorkiewicz:

I can see that. But I think that we've got to take a look that the County isn't going to use that as a parking lot for the County services besides (inaudible).

Mike Spence:

I guess I don't believe that that would be an issue, Steve. But certainly – just based on what we see in the area it seems like a really good concept. Because when we use that area for parking for the Prairie Family Days I think it was pretty successful. The problem we had there is we're only allowed to do that in a temporary manner. So this facility would allow us to have additional parking all year 'round.

Steve Kumorkiewicz:

(Inaudible) okay.

John Steinbrink:

And this is for the engineering services agreement only.

Mike Spence:

That is correct.

Michael Serpe:

I make a motion to authorize the Village Administrator to enter into an agreement with R.A. Smith National in the amount of \$14,900.

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Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde. Is there any further discussion?

**SERPE MOVED TO APPROVE A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH R.A. SMITH NATIONAL FOR THE RECPLEX PARK AND RIDE PROJECT; SECONDED BY ALLEN; MOTION CARRIED 5-0.**

**C. Consider a Relocation Order encompassing 19 parcels of land for the South Kenosha Storm Sewer project.**

Mike Pollocoff:

Mr. President, a relocation order is under the State Statutes the first step we need to use whenever we're looking to acquire property. We've been looking at – right now the south Kenosha area is under construction where the storm sewer swale has been constructed, the main storm sewer in the streets is under construction right now. And the other part of the project was to be able to pick up as much storm water from the abutting properties, it's not all of them, and it kind of follows that map up there where you see the green that's outlined by the black lines. Those are areas where we could extend the storm sewer to an area that drains poorly, pick up that water, so rather than have that water run across the peoples' property it goes into a catch basin and goes into a storm sewer, then it goes to the storm sewer in the street which eventually goes to the swale.

(Inaudible From Audience)

Mike Pollocoff:

So the original concept that we wanted to do, because we received a grant for this project that's virtually covering 100 percent but it's barely covering 100 percent was we're viewing this as an improvement to the flooding issues that we've encountered in this area. So we've talked to a lot of people that we were looking in order to do this and have it be at no cost for one reason, and that was if we do pay expenses on this then we have to go back and specially assess. If we go over our budget we're going to have to levy a special assessment on the affected property owners to cover the cost for the acquisition of properties. And I think a lot of people indicated they understood that, and they felt there was some value in it but we haven't talked to everybody.

Well, as we began the process of getting easements out to everybody, given the economic times that we're in we discovered a couple things that just made that impossible. The first one is that whenever we acquire an easement, and an easement doesn't mean we own the property, we just have permission to go in there and put in the improvement, and then once a year we'll clean that pipe out. And then maybe once every 20 years or 25 years if that line fails we need to be able to

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go in and fix it or if it becomes obstructed or if something happens. So that's the purpose of an easement. There's a public improvement that the taxpayers have – it's owned by the Village government, and we can't put public improvements on private property so we need to have an easement for it.

Well, most people who own a home have a mortgage on their home. Some of them have second mortgages or home equity loans. When we send these out we always record them because the two people who have to sign on the easement is the people who live there who are paying the monthly mortgage on it. And the banks who have a mortgage have filed a lien on the property so they've got some interest in it, too. And typically what happens is the people sign the easement, the bank signs it, and it's recorded on there. That easement passes with the property.

Well, what's happened with the foreclosure crisis, and there's only a couple of homes in here that are being foreclosed, but the banks are now saying before we sign off on to this we want a full narrative appraisal which is generally a couple thousand dollars, and we want a mortgage application fee of \$400, and once we get that information we'll decide whether or not we'll sign the easement. So the banks we've been talking to are saying – we explained that this is an improvement to the property. In fact, it improves the values of it because it's going to stop flooding in that area. It will stop water in some cases going in the back door and coming out the front door. The banks are saying we don't have time for that. We've just got this procedure we're going to follow and that's what we want. And if somebody has a mortgage say with Chase and they have a home equity loan with Wells Fargo then we have two of those we have to do. They won't live with one or the other.

What it does it puts residents here in a tough position. We can't get this information. They're the owner and they have to work to get that bank information themselves. And if the appraisals aren't up to what the bank thinks they are then there's a whole other raft of issues that occur with that. So in visiting with legal counsel for the Village, he's recommended that the one way to circumvent this is to, not that we're trying to do a loophole, but is to follow the statutes as they're proscribed for acquisition of easements or land, and that's through Chapter 32 where we acquire the property or acquire the easements. And in that process, the storm sewer easement – I'm sorry, the relocation order is the first step. Get that relocation order, we file it with Kenosha County, and then we send it to the affected property owners so everybody knows that we're in the process of acquiring these properties.

We'll have to get full narrative appraisals on each one of the properties to determine the value of it. We'll send that document to the owner, and the owner has the opportunity at that point to ask for a second appraisal which the Village would pay for, and we would negotiate on the price. And then we'll either arrive at a value, or if we can't arrive at a value then we would do a Lis Pendens which is basically a notice that the Village is looking to acquire that easement and we're going to get it, and then there's another 30 days and then there would be a jurisdictional offer where the Village would acquire the easement for either the latest negotiated price or for the appraised price.

This is how we go about it. Now, we're going to go back to Commerce and try and get some more money once we know what we're dealing with to see if we can, again, keep this on a zero

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cost basis but we don't know that that's going to happen. So there could be the chance that we might come up with \$50,000, \$20,000, I don't know what it will be, of additional expenses to acquire these easements.

Now, we have had some people say that they're not interested in doing the project. To the extent that's possible I'm okay with that, because basically at that point my recommendation is we're going to send the people a letter indicating that we understand that they don't want to be involved in the process, and as such the Village is going to make waiver to any improvements that are necessary in the future that those will be at the sole cost of the property owners or the successive property owners, because at the time of having a grant if we're not able to go on there and do it then we won't do it. There are some areas, though, where I think we're going to have to be a little tough and get the easements done because they're necessary for the project.

Michael Serpe:

Before we go on, Mike, I have a question for you. Mr. Rodgers approached the podium and gave us the address of 9004 24<sup>th</sup> Avenue. That's not in the packet here.

Mike Spence:

Actually it must be owned by Lisa Godfrey–

–:

We're actually co-owners. Apparently you're not up to date (inaudible).

Mike Spence:

Okay, we had Lisa Godfrey as the owner. We'll have to–

–:

That's correct.

Mike Spence:

Okay. But I'm actually looking at the drawing right now to see. We could possibly reduce that to 15 feet. It's basically an issue of being able to construct the sewer. We have an issue with the property to the south because there's a garage there. There isn't much room to go to the south, and that's why we did it which becomes another easement which we were trying to – because we understand you had flooding on your property so we were basically trying to address that. So we might look at trying to shorten that to 15 feet. It's not desirable. And what we would probably ask for is at least a five foot temporary easement that we could construct it.

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Mike Pollocoff:

The temporary easement is so that if we need more room when we're building so that the guys get off the piece of equipment they could walk on your property to get to the hole. That equipment is going to take up the entire 15 feet. But that being said if you feel real strongly about not doing it that would be one of the portions of the project we could discontinue and let that one go.

Monica Yuhas:

Mike, with the Godfrey property not having any improvements, how many residents around that area would be affected by not being able to take the improvement as well?

Mike Spence:

Basically because the area is so flat, the way the plan is developed right now, at the very end of that easement on their property there would be a storm water inlet. So as water builds in this area it would drain to that inlet. So the immediate effect would be to the neighbors adjacent to their property to the west and to some extent to the south and north.

Monica Yuhas:

Do you know roughly how many homes that would encompass?

Mike Spence:

I don't have that level of detail. I would say it could be three or four.

Steve Kumorkiewicz:

I see three here.

Mike Spence:

As Mike was indicating before, some of the easements on the end if they absolutely don't want them it's not as critical. But, for example, there's an easement here to the west of 26<sup>th</sup> Avenue where it's the main connector to north and south. And these people have indicated a willingness to do this. As a matter of fact, they've already moved certain items on their property in advance just to get ready for the easement. But some of the other easements pretty much stand on their own, and they're limited to one or two individuals.

Steve Kumorkiewicz:

You're talking about Section 8, right?

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Mike Spence:

Yes.

Steve Kumorkiewicz:

Section 7 is the property owner here. Section 7?

Mike Spence:

Yes.

Steve Kumorkiewicz:

Okay, thank you.

Michael Serpe:

Is it worth to ask if the Rodgers have changed their position now since he's talked to us? Or, do they want to keep their position.

Mike Pollocoff:

I've heard from them a couple times they're not interested.

Mike Spence:

I guess what I would suggest is I can give you my card and if you want we can discuss in further detail tomorrow or whatever is convenient.

John Steinbrink:

Otherwise the process moves along without that section.

Mike Spence:

That's correct.

(Inaudible From Audience)

Mike Spence:

I guess, Mike, do we have that option if they –

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Mike Pollocoff:

We could approve the relocation order and hold filing it since that's not one of the critical parts until we hear from them.

John Steinbrink:

And if it expires and it isn't done and it needs to be done then there's a shared cost in that?

Mike Pollocoff:

Right.

Jane Romanowski:

The filing has to be done within 20 days.

Mike Pollocoff:

Basically if you approve it tonight you've got 20 days to hold the filing.

Jane Romanowski:

But it would hold up everybody else's, too. You'd have to take that parcel out. You're probably better off to table it.

Mike Pollocoff:

Table the entire thing? I think I'd ask the Board to amend the relocation order to exclude Section 7.

Michael Serpe:

To approve it with the exclusion of 9004?

Mike Pollocoff:

Right.

Mike Spence:

Or could we find out if they have an opinion tonight?

(Inaudible From Audience)

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Mike Pollocoff:

We need you to come to the mic.

Michael Rodgers:

We were here months ago, August 1<sup>st</sup>. If you measure from the property line 20 feet you are about six to eight inches from the side of the house. That is crazy. That's just absolutely crazy. Besides that 20 foot from a 75 foot frontage property you have a 20 foot easement that makes it 55 foot and it's no longer buildable. I thought you needed 60 foot frontage to build. So if something happens to that property now we have to deal with this easement and now it limits that property to ever be built on.

Mike Pollocoff:

That would be if we took the property. We're asking for an easement. So if the property –

Michael Rodgers:

Even with the easement the property was tried to be subdivided back in the day. That property tried to be subdivided. They never came in front of the council but you had an easement where you said the 250 foot had an easement to it so she didn't technically have the 125 foot to divide the property. So either the easement allows you or it doesn't allow you. What does it do? And that factor when she tried to subdivide it you said it wasn't subdividable because of an easement.

Tom Shircel:

If I could enter into this discussion. The easement the Village would not be taking ownership of that piece of property. It would just be given the right. So when it comes to lot area and lot width of a property the easement would be included, the width of that easement would be included with the area. You following me?

Michael Rodgers:

Yeah, I follow you, but six inches from the side of the house is –

Tom Shircel:

I understand that.

Michael Rodgers:

That's ridiculous.



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Mike Spence:

I'm looking at the drawings here. We're going to be about five or six foot deep in that area. We could reduce that easement to 15 feet permanent and then the contractor is going to have to take special provisions to construct it in there. So if you'd be willing to – we can go smaller than 15.

Michael Rodgers:

That's more realistic. But I'm in construction, alright? Eight inches from the side of the house that's ridiculous.

Mike Spence:

That doesn't mean that the –

Michael Rodgers:

It doesn't mean it isn't and it doesn't mean it doesn't, but it means if they do any damage up to that point that's where it is. But you're that close to the crawl space and everything under the house.

Mike Spence:

Understood.

Michael Rodgers:

That is going to have an effect.

Mike Spence:

Right. I guess what I'm saying it's my – I believe that we could reduce in that particular area reduce it to 15 feet. So do we –

Michael Rodgers:

I would have to see that in writing because I tried to get you to go to 10 feet two months ago even, and they just kept sending 20 foot easements.

Monica Yuhas:

Mike, what kind of equipment can you get in a 10 foot easement to do this type of construction?

Michael Rodgers:

Look at the other ones up there. The other ones are ten foot.

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Mike Spence:

That's because–

Monica Yuhas:

It's a different improvement going in.

Mike Spence:

The ones in the back are 10 feet – they're actually 20 feet. It's 10 foot on the east and 10 feet on the west. We have one easement that's 15.

Michael Rodgers:

And that property to the south had the easement on it anyhow. Part of the water problem is they keep putting their sump pumps in that direction when there was an easement to the south, one of the south properties of there –

(Inaudible From Audience)

Michael Rodgers:

– already had an easement that they filled in for drainage.

Mike Spence:

I'm not aware of that.

(Inaudible From Audience)

Mike Spence:

And that's on the north side of their property.

(Inaudible From Audience)

Michael Serpe:

We're not getting any of this.

John Steinbrink:

You can't talk because it doesn't pick up.

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(Inaudible From Audience)

Monica Yuhas:

Mr. Rodgers just one quick question for you. Back in August when you were here you did submit a letter to the Village Board, the Trustees, with a financial amount that you were looking for.

Michael Rodgers:

Correct.

Monica Yuhas:

Can you refresh my memory as to what amount that was?

Michael Rodgers:

They said they had exhausted all the funds.

Monica Yuhas:

No, in your letter what you were looking for.

Michael Rodgers:

The property is assessed at \$110,000.

Monica Yuhas:

Were you asking like \$70,000?

Michael Rodgers:

Or something in that manner. But that was immaterial. I told them flat out if they would change the easement of 20 feet we would consider it. Each thing that keeps coming says 20 feet, 20 feet. That's what I'm getting at. Twenty feet is six inches from that house. Get a tape measure out and measure it. It's six inches from the house.

Michael Serpe:

Okay, Mr. Rodgers, we've heard that and the engineer is offering 15 feet.

Michael Rodgers:

Then I will talk with partner and we'll consider that. That's all I can do at this point.

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Mike Pollocoff:

My recommendation is then that we delete Section 7 from the relocation order and see if whether or not we're going to proceed with this one here. And if we do within a reasonable amount of time we'll add that and (inaudible) again.

Steve Kumorkiewicz:

So we're talking about Section 7 is going to be out tonight and is going to be subject to –

Mike Pollocoff:

No, it's going to be removed tonight, and we'll send them –

Steve Kumorkiewicz:

It's going to be out.

Mike Pollocoff:

I'm recommending we remove it tonight, we send them an amended easement description that does what we feel is the least we can live with, and then start the process all over with them if they feel they can do it. If not, my recommendation is to delete Section 7 and not proceed with it. I don't want to make it a conditional removal. I think we just remove it from the packet tonight and that gives them time to look at it and talk about it.

Steve Kumorkiewicz:

So it can be added if they agree.

Mike Pollocoff:

You would do a new one. You would do a new relocation order.

Steve Kumorkiewicz:

Okay.

Michael Serpe:

I'd move approval of the relocation order with the exception of parcel 91-4-122-134-0285 and that's the Lisa Godfrey property, P.O. Box 202, Wilmette, Illinois, 60091.

Monica Yuhas:

Second.

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John Steinbrink:

A motion by Mike, second by Monica. Any further discussion?

**SERPE MOVED TO ADOPT A RELOCATION ORDER ENCOMPASSING 18 PARCELS OF LAND FOR THE SOUTH KENOSHA STORM SEWER PROJECT WITH PARCEL 91-4-122-134-0285 EXCLUDED FROM THIS RELOCATION ORDER; SECONDED BY YUHAS; MOTION CARRIED 5-0.**

**D. Consider Recreation Commission recommendation and consider Ordinance #11-33 related to meeting attendance.**

Tom Shircel:

Thank you, Mr. President. During its October 11, 2011 meeting, the Rec Commission voted to recommend to the Village Board that Section 18-61 of the municipal code pertaining to attendance to the Rec Commission meeting being amended. The Rec Commission members wish to amend and strengthen the language of the ordinance to better define the attendance parameters.

I'll read you the proposed language. It states: Any Recreation Commissioner who during his or her term accrues three unexcused meetings shall automatically become eligible for forfeit of his or her seat which will be vacated for appointment of another Recreation Commissioner by the Village President. And the recommendation of staff is to recommend approval of that amendment. If you have any questions I'll be happy to answer them.

Steve Kumorkiewicz:

(Inaudible) because many times it's ridiculous that we have almost no quorum here, but just enough with four people.

Tom Shircel:

Right, so this will tighten up that language.

Steve Kumorkiewicz:

(Inaudible) because some members did not attend a meeting in six months. So I think it's reasonable, and I'm going to move to approve it.

Clyde Allen:

Second.

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John Steinbrink:

Motion by Steve, second by Clyde. Further discussion?

**KUMORKIEWICZ MOVED TO CONCUR WITH THE RECREATION COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #11-33 RELATED TO MEETING ATTENDANCE; SECONDED BY ALLEN; MOTION CARRIED 5-0.**

**E. Consider agreement with Wisconsin Marathon LLC for the May 5, 2012 Wisconsin Marathon.**

Mike Pollocoff:

Wisconsin Marathon - they conducted really successful marathons, and I think they've had 2,000 runners involved in it and if you look at the map it goes into Carol Beach, and this is the long distance, the 26 miles. So by the time they come to Pleasant Prairie the race has thinned out some. There are fewer racers. This shows the course they want to go on. Now, we'll recommend that if the Board authorizes this agreement with Wisconsin Marathon two things need to be done. One is that in addition to what the conditions are in there is, one, we want either a bond or some kind of a financial instrument that guarantees the place gets cleaned up after they've left. The cup site cups are flying all over the place and they left. And, secondly, they need to control the traffic better in the sense that people still need to be able to get to their houses and get out of their houses. So we have some people that were a little more overzealous and they were blocking entrance to peoples' properties, and I want to make sure that doesn't happen again. If they can't commit to do that and give us a plan that's going to be acceptable then I wouldn't execute the agreement. But that aside, I think it's a nice event. I've heard some people in Carol Beach that do like it, and I have heard from some that don't. I think it's a nice event for the community. So with those caveats I'd recommend your approval.

Steve Kumorkiewicz:

I'm going to move to approve it, and I'm going to follow with some comments.

Michael Serpe:

I'll second that motion.

John Steinbrink:

Motion by Steve, second by Mike. Further discussion?

Steve Kumorkiewicz:

Yes. What Mike is talking about makes a lot of sense (inaudible). It's got to be included in the agreement, definitely.

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**KUMORKIEWICZ MOVED TO APPROVE AN AGREEMENT WITH WISCONSIN MARATHON LLC FOR THE MAY 5, 2012 WISCONSIN MARATHON WITH THE CONDITIONS TO PROVIDE IMPROVED TRAFFIC CONTROL AND CLEAN UP AFTER THE RACE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**F. Consider Operator License Applications on file.**

Jane Romanowski:

There are just two tonight and I apologize. I realize I didn't send you the applications under a separate email, but let me assure you they're both fine as the Clerk certification indicates. No records on either of them. They passed all their training requirements, and the Chief has signed off on them. And I'll try and remember to do that next time.

Clyde Allen:

Motion to approve.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike. Any discussion?

**ALLEN MOVED TO APPROVE THE OPERATOR LICENSES FOR APRIL HOWE AND LINDSAY PETERSON; SECONDED BY SERPE; MOTION CARRIED 5-0.**

**8. VILLAGE BOARD COMMENTS**

Michael Serpe:

I have a comment. Today I received one complaint, a little while back I received another complaint from an unknown person about the condition and the operation of the BP station at I-94 and 165. The complaint today was not very nicely kept inside, and only three pumps available for use. All the rest of them were disabled or out of order or whatever. And from what I understand this is becoming a regular occurrence at that station. I guess what I'm concerned with is if we're going to go through the process of approving a business to come into our Village we want that business to function at the best possible way it could function with reference to serviceability, friendly service, clean and available service.

Right now I don't know that we have too much in the way of enforcement action because we don't have ordinances that would allow us to enforce those types of things. I think it's worthy for us to look into something like this to see what we can do to bring these people into compliance to be good business partners for this Village. I'm sure there's other businesses in the community

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that probably could use a little scrutiny as well. This one comes to mind because I guess from what I understand there is a considerable amount of complaints as to how it's being operated. With that I'll drop that seed in somebody's ear and maybe we can look into how we can address things of this nature and put it to bed in the future.

Clyde Allen:

Just under comments, Mike, is it appropriate now to comment on the International Hockey Tournament and the success of that?

Mike Pollocoff:

Sure.

Clyde Allen:

Also with the swim meet this weekend.

Mike Pollocoff:

We had over 20 teams that were in it, Russia, Canada, and they were the best of the 16 to 18 year old skaters. These are skaters, there were college scouts there, all the big scouts there that are going to be looking to place these kids on teams. And it was the best skating I've ever seen. It was a three day event. A significant number of people came to the community. I know I went and saw some of the matches. I was at Prairie Ridge going to Penney's and Dick's and I saw all these kids and families in those stores shopping and going out to eat. Same thing we had the WIAA sectional women's swimming meet, so we had two big meets that were bringing a lot of people from outside the community that were doing the businesses in this community a lot of good. It was nice events at RecPlex, and we had a lot of positive comments from the people that came from far and wide that they really liked the facility and the location of it. It was good business for all of Pleasant Prairie and part of Kenosha, so I think it was a good weekend.

Clyde Allen:

I guess thanks to everybody that put the effort into that to make those a success. I'm sure the community really appreciates that. I don't know if I just missed it, but I didn't see anything about it in the *Kenosha News*. I don't know who is responsible to get information like that to them.

Mike Pollocoff:

Chris gets them the press releases.

Clyde Allen:

Thank you, Chris, for your efforts. It's a shame that it's not recognized what happens to the community impact.



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Mike Pollocoff:

Plus, the nice thing about this, like I said, it's the best hockey I've seen and it was completely free. They paid the full rental, and they didn't look to charge anybody. So if people wanted to go see some good hockey played, kids or whatever, it was two free days at the RecPlex and IcePlex to watch really good hockey and it didn't cost anything.

Steve Kumorkiewicz:

You mentioned a team from Russia?

Mike Pollocoff:

Yes.

Michael Serpe:

One other comment. Saturday night Steak by Fire. Doug, how many, 500?

(Inaudible)

Michael Serpe:

What was the total again? How many people.

Doug McElmury:

Just under 500.

Michael Serpe:

Just under 500. How can you wrong to get a steak dinner for \$15? And then I commend Doug Snow for undertaking the job of grilling these steaks. My neighbor and I assisted him a little bit in that endeavor. It was a fun night, a very successful night. For \$15 you got your money's worth, I'll tell you that. I hope we made out well. Good job on the part of the fire department, too.

John Steinbrink:

I'd also like to offer a thank you to Ruth Mack for yesterday's veteran's program. She's the force behind putting all that together and organizing and getting the groups there. The Village of employees that were in attendance, we had a great number of you yesterday, that was appreciated by the veterans, and the job we did out there with getting it ready, the sound, everything, the seating. It was a windy day and I didn't hear any complaints from anybody. So a thank you to Paielli's and Culvers for the refreshment's afterwards. People enjoyed themselves. We've used

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the memorial like we intended it to be used, come there to reflect. Mike had told me that we hope we never put another bench in there, but if we do there's space for it. The families, the Birkholz's, everyone that's been out there, they're deeply appreciative of what the Village has done and the public for their show of support. So just a thank you to everybody.

Steve Kumorkiewicz:

It seemed to me there was a larger crowd this year than last year.

John Steinbrink:

Any other Board comments?

9. **CONSIDER ENTERING INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1)(C) WITH RESPECT TO EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY.**

John Steinbrink:

The Board will return to open session for the purpose of the adjournment only. No other business will be conducted.

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

10. **RETURN TO OPEN SESSION**

11. **ADJOURNMENT**

After discussion was held in Executive Session, **KUMORKIEWICZ MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY YUHAS; ROLL CALL VOTE – KUMORKIEWICZ – YES; YUHAS – YES; SERPE – YES; STEINBRINK – YES; ALLEN – YES; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7:35 P.M.**