

AGENDA
VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
Village Hall Auditorium
9915 – 39th Avenue
Pleasant Prairie, WI
April 2, 2012
6:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes of Meetings – March 19, 2012
5. Citizen Comments (Please be advised per State Statute Section 19.84(2), information will be received from the public and there may be limited discussion on the information received. However, no action will be taken under public comments.)
6. Administrator's Report
7. New Business
 - A. Consider 2012-2013 Property and Liability Insurance proposals.
 - B. Consider Ordinance #12-13 to create Chapter 290 of the Municipal Code relating to Social Hosts. (Second Reading)
 - C. Consider the request of Mark Bourque, agent for the Ashbury Creek development, to pave the final lift of asphalt in the subdivision.
 - D. Consider the request of the Bank of Kenosha for a two (2) year extension for the Final Plat, Development Agreement and related documents and to extend the Preliminary Plat approval for The Orchard Subdivision located at 11934 28th Avenue.
 - E. Consider Operator License Application on file.
8. Village Board Comments
9. Adjournment

The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk, 9915 – 39th Avenue, Pleasant Prairie, WI (262) 694-1400

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
March 19, 2012
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, March 19, 2012. Meeting called to order at 6:10 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/Treasurer; Brian Wagner, Police Chief; Doug McElmury, Fire and Rescue Chief; Mike Spence, Village Engineer; Carol Willke, Recreation and HR Director; John Steinbrink Jr., Public Works Director; Jean Werbie-Harris, Community Development Director and Jane Romanowski, Village Clerk. Six citizens attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

John Steinbrink:

Tonight the Pledge will be led by retiring Paul Ratzburg.

3. ROLL CALL

4. MINUTES OF MEETINGS - FEBRUARY 20 AND MARCH 5, 2012

Monica Yuhas:

Motion to approve.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Any additions or corrections?

YUHAS MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD MEETINGS OF FEBRUARY 20 AND MARCH 5, 2012 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

5. CITIZEN COMMENTS

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Jane Romanowski:

Steve Fredriksson.

John Steinbrink:

Steve, give us your name and address for the record.

Steve Fredriksson:

Steve Fredriksson, 5207 86th Place, Pleasant Prairie. The last three years I have directed an underage drinking abatement project encompassing Kenosha County on behalf of the Concerned Citizens Coalition of Greater Kenosha. During that time, I've analyzed numerous surveys and studies, and one correlation is absolutely irrefutable, today's drunk driver was invariably yesterday's underage drinker. Also, when looking at questionnaires regarding where underage drinkers consume their alcohol, about two thirds of them do so in a social host setting, meaning at a friend's house, often with that friend's parent's tacit or expressed approval. This has been and will continue to be under this proposed ordinance illegal.

Wisconsin remains one of only two states that have a statutory provision allowing parents to procure and serve alcohol to their own children. While I don't agree with that statutory exemption, this ordinance would do nothing to change that. Since April of last year, the City of Kenosha has had its own social host ordinance on the books, and the Kenosha Police have written at least 35 of those citations. Everyone thus far has resulted in either a fine forfeiture or a guilty finding at trial. They lost none of those cases.

A social host ordinance gives the police the necessary tools to not only site the underage drinkers but to the people who host the underage drinking gathering. The police departments throughout the State who have utilized social host ordinances love them because they are so broadly written. The fines are heavy, and you'd better believe that in this age of Facebook and Twitter the word about strict and expensive enforcement gets around very quickly.

I can attest to the high priority that Chief Wagner and his officers have placed on underage drinking enforcement, but this ordinance will address those who enable and sometimes profit from that illegal behavior. I want to thank Trustee Monica Yuhas for bringing this forward and Village Administrator Mike Pollocoff for his efforts in writing a good, enforceable ordinance. I ask my Village Board to support this ordinance as it moves through the process of approval hopefully next month. Thank you.

John Steinbrink:

Thank you.

Jane Romanowski:

There are no other signups tonight, Mr. President.

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John Steinbrink:

Anyone else wishing to speak under citizens' comments?

6. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Nothing tonight, Mr. President.

7. NEW BUSINESS

A. Consider Resolution #12-11 of appreciation to retiring Pleasant Prairie Police Lieutenant Paul Ratzburg.

John Steinbrink:

Paul, do you want to come up here? We have a citation for you. This is from the Village, Resolution #12-11 - Resolution of Appreciation to retiring Pleasant Prairie Police Lieutenant Paul Ratzburg for more than 31 years of outstanding public service to the citizens of the Village of Pleasant Prairie. Whereas Paul Ratzburg has served the citizens of Pleasant Prairie as a member of the Town and Village of Pleasant Prairie Police Departments in multiple capacities for more than 31 years.

Whereas Paul Ratzburg joined the Pleasant Prairie Police Department in 1980 as an auxiliary citizen volunteer, later joined the department as a part-time and then full-time officer, and most recently served as Lieutenant of Detectives. And whereas Paul Ratzburg in addition to his duties within the department has been engaged and involved with the community through Kenosha Area Crime Stoppers, the Kenosha County Public/Private Partnership for Emergency Preparedness, and as an instructor for CERT, Community Emergency Response Team; and whereas Paul Ratzburg has been involved in high profile cases and has earned a significant amount of respect for both himself and the Pleasant Prairie Police Department within both law enforcement circles and the community;

And whereas Paul Ratzburg as a highly dedicated professional has been a great asset to the department and the community for a significant period of time, I guess that would be 31 years plus, now therefore be it resolved that the Board of Trustees of the Village of Pleasant Prairie that on the occasion of his retirement Paul Ratzburg be recognized for his service to the Village of Pleasant Prairie and that he receive the most sincere thanks and appreciation of the Village Board and the citizens of Pleasant Prairie. This considered and adopted this 19th day of March, 2012.

Paul had a nice party I hear on Friday. I didn't make it. I had the flu. I didn't think I'd be appreciated. And it's one of those terms nobody likes a real party pooper so I stayed away. I heard it was a great occasion. You had quite a few folks there. Paul, on behalf of all the citizens and the Board, thank you very much.

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Paul Ratzburg:

Thank you so much. Earlier in the week I sent the Board a note, I hope you all got that, and I sincerely mean that my success could not have been done without your support. We had some issues a couple years ago, and the support of this Board was absolutely positively essential and a morale builder. And I thank the Board and Mr. Pollocoff for your support and past support for the police department. Thank you. And maybe a round of applause for the Board. Thank you. My co-workers I will miss them, Sergeant Biernat, the banter and between shifts. Randy Myles, Detective Mogensen who I supervised made my job a lot easier with such good people to supervise and needed very little attention. One thing I am sure of, though, is that the police department will only get better as we get bigger. Bigger is better.

I'd like to recognize a big supporter of mine and the love of my life, my wife Colleen Ratzburg. Couldn't have done it without her. That's my grandson Ethan. Ethan, what are you playing, video games? And my mom came back from Arizona to make tonight. So thank you for your support. A couple other things is Chief Wagner, Chief Horvath, Chief Guilbert, Chief McElmury - certainly couldn't have done it without their support and contributions. Even Tom from the RecPlex over the years I called upon in doing some of my duties. John Steinbrink, Rocco, it takes a team and we've got a real good team here at Pleasant Prairie. I know I will be proud in the future to say I retired from the Pleasant Prairie Police Department. I know I'll be proud to say that because you guys only get better. And in that, thank you very much for attending and recognizing and all the kind words.

Michael Serpe:

John, could I just say one thing? Paul, Saturday night I watched the Mark Jensen telecast on TV, and what really impressed me was when you brought Mark Jensen into the interview room and you were talking to him matter of factly, and he really thought he had you convinced that he wasn't responsible for his wife's death until you used that tactic. You were pretty sneaky by showing him the letter. That was pretty sharp. And you could just see the blood leaving his face, you could see the whole demeanor change, and that's just good police work, and you were very good at it. And, boy I'll tell you, you had a good group backing up with your department, too. It's a good feeling to leave on top and you did.

Paul Ratzburg:

Thank you.

Mike Pollocoff:

We need to take a vote on this.

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John Steinbrink:

First, I just want to say, Paul, I did dress up for you here with a clean t-shirt. And I know how it was back in those days. We talk about 31 years and we joke. The department has come a long way, and you say your colleagues to work with I can only echo those as probably one of the finest departments I know in anywhere I've ever traveled or seen. So congratulations to you.

Paul Ratzburg:

[Inaudible] we did it with minimal resources, and we had the dedication to make it work.

John Steinbrink:

So what was your number back on the auxiliary way back then.

Paul Ratzburg:

[Inaudible] my number here on the police department is 113 and [inaudible]. So the auxiliary number was probably equally as low. I've got a few years on you, Mr. President.

Michael Serpe:

John, to make this official I'd move approval of Resolution 12-11.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde for adoption of Resolution 12-11.

SERPE MOVED TO ADOPT RESOLUTION #12-11 OF APPRECIATION TO RETIRING PLEASANT PRAIRIE POLICE LIEUTENANT PAUL RATZBURG; SECONDED BY ALLEN; MOTION CARRIED 5-0.

John Steinbrink:

Once again, Paul, thank you very much.

Monica Yuhas:

Mr. President, I'd like to move Item K up on the agenda.

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Steve Kumorkiewicz:

I second that.

John Steinbrink:

The first reading of the ordinance.

Monica Yuhas:

Yes. I'll make a motion to move Item K, Ordinance 12-13 to create Chapter 290 of the Municipal Code relating to Social Hosts. (First Reading)

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve for moving Item K to the head of the calendar here.

YUHAS MOVED TO CONSIDER NEW BUSINESS ITEM K; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

K. Consider Ordinance #12-13 to create Chapter 290 of the Municipal Code relating to Social Hosts. (First Reading)

Mike Pollocoff:

I'll give you an outline for the people in the audience of what this is. As Mr. Fredriksson aptly described, the intent and purpose of this is to ensure that when underage individuals are located at private residences and if drinking occurs for anybody under the age of 21, it holds that the people that are condoning this or have the residents are civilly responsible for the events that occur on there. We have come up with findings as to why this law should be in place. In events and gatherings held on private and public property where alcohol is possessed or consumed by persons under the age of 21 are harmful to those persons and constitute a threat to public health, prohibiting underage consumption acts to protect underage persons as well as the general public from injuries related to alcohol consumption such as overdoses or traffic collisions.

Alcohol is an addictive drug which used irresponsibly could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user. Events or gatherings include underage possession and consumption that occur outside the presence of parents, however there are times when the parents are present and condone the activity and in some circumstances provide the alcohol, a deterrent effect will be created by holding a person responsible for hosting an event and gathering where underage possession or consumption occurs.

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We've defined as necessary in order to defend this law alcohol, alcohol beverages, events or gathering. An event or gathering means any group of three or more persons who have assembled or gathered together for a social occasion or activity. A host is defined as a person to allow, aid, conduct, entertain, organize, supervise, control or permit the gathering or event. Residents premises or public or private property residents' premises or public or private property means any home, yard, farm, field, land, apartment, condominium, hotel or motel or other dwelling unit or hall or meeting room, park or the place of assembly where occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or a social function for their own leased, rented or used with or without permission or compensation.

The prohibited acts - it's unlawful to host or allow an event or gathering at any residence, premises or any other private or public property where alcohol or alcoholic beverages are present when the person knows that the underage person will or does consume any alcohol or alcoholic beverage or possesses any alcohol or alcoholic beverage with the intent to consume it and the person fails to take reasonable steps to prevent possession or consumption. The person that violates this section, the person who aids, advises, hires or counsels, conspires with or otherwise procures another to commit the act, the person who hosts the event or gathering does not have to be present at the event to be responsible.

There are three exceptions identified in the ordinance. The chapter does not apply to the conduct solely between an underage person and his or her parent while the parent is present and in the control of the underage person. The chapter does not apply to legally protected religious observances. The chapter does not apply to situations where underage persons are lawfully in the possession of alcohol or alcoholic beverages during the course and scope of employment. The penalties under this ordinance, a person who violates any provision of the ordinance is subject to a forfeiture not less than \$1,000 or more than \$5,000 together with the costs of prosecution. Default on payment could lead to incarceration.

This is two readings as a significant reading which two readings provide notice to the public. We're doing this as well as the fines imposed and under our policies require two readings of the ordinance. The Chief has looked at this as have I. We have had instances where we could have used this this year. It becomes another element or tool the chief can use to prosecute underage drinking under this scenario of violation. So with that I'd recommend that we move this to our second meeting. Of course, we can take comments tonight, but the final consideration would be two weeks from tonight.

Michael Serpe:

I commend Monica and Steve for both bringing this forward. I think it's an excellent idea, and I'm going to totally support this at the second reading. I would also encourage Chris to clearly publicize this in the Village Times and on Channel 25. And the reason I say that now is because graduation is coming up, it's going to get busy, prom, the cops are going to be chasing these parties all over the Village. So this is a good idea. I think once the parents are at least educated on something like this they may take a little bit more of a cautious approach on what type of parties they're going to allow the kids to have.

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Monica Yuhas:

I'd also like to thank Steve Fredriksson for bringing this to our attention. Chief Wagner, thank you for working on this ordinance and answering all of my questions. Manitowoc is the first community to have something like this in place. Kenosha has had it, and I did talk to officers and administrators at Kenosha, and they find it to be a very useful tool. And their ticket amount is \$1,311 when they're ticketed. So it is a tool that the police like to have. Tickets are issued, and I look at it as another tool for our officers to have in the Village. And any time we can give them something to enforce an ordinance and prevent something tragic from happening I'm in support of that.

John Steinbrink:

And I want to thank Monica and Steve. I know, Steve, you've been an advocate of this for many years, and you've worked hard at bringing this forward and getting it in the light of day. Monica did a great job speaking to everybody out there, and you even spoke to the judicial people on this and made us all aware of it and kept us informed. I think that's really doing your job as a Trustee and looking out for the Village and the citizens. So, thank you.

Monica Yuhas:

Thank you, Mr. President. With that I'd like to make a motion to – are we approving this or just adopting the first reading?

Mike Pollocoff:

Continue it.

Monica Yuhas:

There's nothing to do.

John Steinbrink:

No action needed. We'll be back when for the second reading?

Mike Pollocoff:

Two weeks from tonight.

Monica Yuhas:

April 2nd.

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John Steinbrink:

Alright, thank you.

- B. Receive Plan Commission recommendation and consider Ordinance #12-14 for a Zoning Text Amendment to create Section 420-128 F (9) to specifically list transmission lines (electric power or natural gas) as a Conditional Use within the C-1, Lowland Resource Conservancy District.**

Jean Werbie-Harris:

Mr. President, I would ask that Item B and C be taken up at the same time. It's really being initiated by the same project, and I'd like to talk about that project at once.

- C. Receive Plan Commission recommendation and consider Ordinance #12-15 for a Zoning Map Amendment to correct and rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District and the non-wetlands into the M-4, Power Generating District.**

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, both items B and C pertain to the same project, and that project is a proposed Pleasant Prairie switchyard expansion. The switchyard expansion project includes the expansion of the existing electrical switchyard that will involve filling and grading, installation of storm drainage features, construction of a detention pond and installation of several steel monopole structures that will route transmissions lines into and out of the expanded switchyard including one steel monopole structure that's located west of the main We Energies Pleasant Prairie Power Plant property. This project, again, is being requested by ATC adjacent to the We Energies property.

Specifically the two items that you have before you, Ordinance 12-14 first, is to create Section 420-128 F (9), and that's to specifically list transmission lines as a conditional use within the C-1, Lowland Resource Conservancy District. This is an item that was before the Village Plan Commission at their meeting last Monday, and they conditionally approved site and operational plans and a conditional use subject to this amendment being made to the Village Zoning Ordinance.

The second item specifically is to correct the zoning map and rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District, and the non-wetland areas that are currently zoned C-1 will be placed into the M-4 which is the Power Generating District in the area of the proposed switchyard expansion project.

Again, as seen on the overhead you can identify the specific area where the existing switchyard is located. 95th Street is just to the south and the railway is just to the west, and then Highway H is just further to the west of that. Again, what they're proposing to do is to expand that existing switchyard area, and then they're installing an additional monopole, and then they are going to be

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putting in some new transmission towers as well. The other transmission towers came before you a couple of weeks ago with respect to the main transmission project from the Pleasant Prairie substation down to the Zion Energy Center down in Illinois.

Specifically, again, the conditional use and site and operational plans were approved by the Village Plan Commission subject to these two items being addressed by the Village Board. There were a number of variances that were also considered on that same evening last week in order to reduce the ordinary high water mark setback from the new structures to this tributary to the Jerome Creek. Again, these were approved by the Village Zoning Board of Appeals.

There were some wetland stakings that were done then on October 29, 2010, November 9, 2010 and April 1, 2011. All of the wetland areas in proximity to the new monopoles and the new transmission lines were delineated by GAI consultants. And, again, once these delineations were completed we could rezone the properties to reflect the exact wetland boundaries on the We Energies property. They have specifically submitted all of the detailed legal descriptions for the placement of these wetlands on the property. And so now this can all be reflected on the Village's zoning map.

So with that the two items before the Village Board this evening, the first is Ordinance #12-14 and, again, this is to specifically create transmission lines as a conditional use in the C-1 District for the towers that they're looking to place in the wetlands. And then the second item is Ordinance 12-15 and this, again, is to reflect the field delineated wetlands by placing those wetland areas into the C-1 areas. Those non-wetland areas would be placed into the M-4, Power Generating District. The Plan Commission held public hearing, and the Plan Commission and the staff recommend approval subject to the comments and conditions as outlined in the memorandums.

Steve Kumorkiewicz:

I make a motion to approve Ordinance 12-14 with the conditions as presented to the representative of the Company as agreed. I move to approve the ordinance.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. Any further discussion?

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #12-14 FOR A ZONING TEXT AMENDMENT TO CREATE SECTION 420-128 F (9) TO SPECIFICALLY LIST TRANSMISSION LINES (ELECTRIC POWER OR NATURAL GAS) AS A CONDITIONAL USE WITHIN THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT; SECONDED BY YUHAS; MOTION CARRIED 5-0.

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Clyde Allen:

I'd like to make a motion to approve Ordinance 12-15.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike for adoption of Ordinance 12-15. Any further discussion on this item?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #12-15 FOR A ZONING MAP AMENDMENT TO CORRECT AND REZONE THE FIELD DELINEATED WETLANDS INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT AND THE NON-WETLANDS INTO THE M-4, POWER GENERATING DISTRICT; SECONDED BY SERPE; MOTION CARRIED 5-0.

D. Receive Plan Commission recommendation and consider Ordinance #12-16 for a Comprehensive Plan Amendment to correct errors on the 2035 Land Use Plan Map 9.9.

Jean Werbie-Harris:

Thank you, Mr. President. Members of the Board and Mr. President, this is a comprehensive plan amendment revision basically as Ordinance 12-16 and this is to correct some errors that were made on the original comprehensive plan with respect to the mapping, the land use map portion. Specifically, those areas that are identified on the slide in purple should not have been in purple, they should have been in a green designation. And specifically what that means is that back in 1996 we had an original land use plan then and we designated a large portion of the Carol Beach Unit #3 in the primary environmental corridor designation.

More specifically, these environmental corridors were updated and re-approved by the Plan Commission and the Board for the 2035 Comprehensive Plan. I'm not sure exactly what happened, but as part of the mapping effort that was completed by the Village, there were some parcels that were inadvertently identified in the wrong designation. As you can see in your packets there were approximately 10 properties, and I'll go through them quickly so that we have this in the record, 93-4-123-292-0425; 93-4-123-292-0430; 93-4-123-292-0435; 93-4-123-292-0440; 93-4-123-292-0445; 93-4-123-301-0195; 93-4-123-301-0200; 93-4-123-301-0205; 93-4-123-301-0210 and, finally, 93-4-123-301-0240.

And, again, these specific properties should be identified as being within the designation of the primary environmental corridor. If there are homes on these specific lots they will be allowed to

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continue without there being any issues or problems. And if they're vacant lots and they do not contain any wetlands on the properties and they're a part of an area that's identified as an urban reserve area they would also be able to develop in those areas. With that, I'd like to recommend approval of these modifications or amendments to the comprehensive plan. There was a public hearing that was held before the Village Plan Commission, and the Plan Commission and the staff do recommend approval as presented.

Steve Kumorkiewicz:

Make a motion to approve.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde for adoption of Ordinance 12-16. Further discussion?

Monica Yuhas:

Jean, real quick, what's the – with the amendment changes when that get submitted to SEWRPC does it go on the back of the plan? How do they incorporate the changes?

Jean Werbie-Harris:

Actually, SEWRPC won't do any type of actual corrections to the plan document but they have like an appendix to the back just like the Village does and just like Kenosha County. Every year we send any corrections to the comprehensive plan to Kenosha County as well as to SEWRPC and to the State of Wisconsin so that our Smart Growth Plan, which is our comprehensive plan, is always updated. And in particular we keep a log of all of these changes but, in fact, because our comprehensive plan is something we use on a day-to-day basis and we put out on the Village's website, we will actually correct the map and identify it as a corrected map for the website and for our plan.

Monica Yuhas:

Thank you.

John Steinbrink:

Further discussion? Hearing none, a roll call vote is requested.

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KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER ORDINANCE #12-16 FOR A COMPREHENSIVE PLAN AMENDMENT TO CORRECT ERRORS ON THE 2035 LAND USE PLAN MAP 9.9; SECONDED BY ALLEN; ROLL CALL VOTE – SERPE – YES; ALLEN – YES; KUMORKIEWICZ – YES; YUHAS – YES; STEINBRINK – YES; MOTION CARRIED 5-0

- E. Receive Plan Commission recommendation and consider Ordinance #12-17 for several Zoning Map Amendments for properties located within the Carol Beach/Chiwaukee Prairie area south of approximately 80th Street, east of Sheridan Road north of 128th Street and west of Lake Michigan that have been acquired in 2010-2011 by the Wisconsin Department of Natural Resources, The Nature Conservancy of Wisconsin, Kenosha County or the Village of Pleasant Prairie.**

Jean Werbie-Harris:

Mr. President and members of the Board, this is a matter that was before the Village Plan Commission at their last meeting, and this was a matter for public hearing. The following Tax Parcel Numbers are being rezoned into the C-3, Natural and Scientific Area Resource Conservancy District. Let me begin by saying, as you remember, back in 1987 the Town of Pleasant Prairie adopted a comprehensive plan for the Chiwaukee Prairie area. And at that time one of the provisions of the land use plan that was adopted indicated – excuse me, it was 1985 – one of the provisions of the land use plan was that a conservation area would be identified and lots would be acquired under a willing seller/willing buyer basis either by the DNR, The Nature Conservancy, Kenosha County or, at that time, the Town of Pleasant Prairie.

And as these properties were acquired they would then be rezoned into this very restrictive protective district known as the C-3 District. So the properties in question are 93-4-123-292-0445; 93-4-123-292-0560; 93-4-123-292-0555; 93-4-123-301-0040; 93-4-123-322-0238; 93-4-123-322-1160; and 93-4-123-323-0980. There was also one property or a portion of that, 93-4-123-292-123-292-0391, and that was being placed into the Park and Recreational District. So as you can see on the slide, we've identified those areas that would be in those Tax Parcel Numbers that would be rezoned to the C-3 District or to the PR-1 District.

All of the abutting and adjacent property owners within 300 feet were notified by the Village. Again, all of these properties are now under either public or quasi public jurisdiction. For those properties, for example, this one that's been identified that's just east of Sheridan Road, while the property has been rezoned there's a Limited Urban Service Overlay District that still will remain on the property. And any of those other properties that were just shown on the previous slides, if they had overlay districts such as a Floodplain Overlay District or a Shoreland Overlay District, those overlay districts would remain in effect for those properties. The Village staff and the Plan Commission recommend approval of the zoning map amendments as presented.

Clyde Allen:

Make a motion to approve.

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Monica Yuhas:

Second.

John Steinbrink:

Motion for approval of Ordinance 12-17 by Clyde, seconded by Monica. Any further discussion?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #12-17 FOR SEVERAL ZONING MAP AMENDMENTS FOR PROPERTIES LOCATED WITHIN THE CAROL BEACH/CHIWAUKEE PRAIRIE AREA SOUTH OF APPROXIMATELY 80TH STREET, EAST OF SHERIDAN ROAD NORTH OF 128TH STREET AND WEST OF LAKE MICHIGAN THAT HAVE BEEN ACQUIRED IN 2010-2011 BY THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, THE NATURE CONSERVANCY OF WISCONSIN, KENOSHA COUNTY OR THE VILLAGE OF PLEASANT PRAIRIE; SECONDED BY YUHAS; MOTION CARRIED 5-0.

F. Receive Plan Commission recommendation and consider the request to install street lights at the intersection of Old Green Bay Road and 85th Street.

Jean Werbie-Harris:

Mr. President and members of the Board, the Village received a request from Karen Skowronski, a Village resident, and she's requesting that the Village consider installing street lights at the intersection of Old Green Bay Road and 85th Street. The petitioner indicates that the intersection is nearly impossible to see when you're driving at night when you're headed north, and it's even more difficult because of the curve in the road at Old Green Bay Road. There's woods on either side to prevent light from shining through from Highway 31.

And, again, there's three criteria for siting of a street light. One is at entrances to subdivisions from heavily traveled State highways, County highways or Village Roads; two at hazardous Village street intersections that would present a danger to life and property without a street light; and finally the third is at such other locations that would be mutually beneficial to Pleasant Prairie and its property owners.

I have up on the slide a photograph looking south on Old Green Bay Road at that intersection. As you can see, there is a large clump of trees that is at that southeast corner that does make it somewhat dark as you're approaching the intersection. And, in fact, the next slide identifies that clump of trees, and it's an S curve that leads you back to 85th Street. If the Village Board considers approving the street lights at this intersection, it's recommended by the Village's electrician that the street lights go at the locations where the two stars are located, so at the northwest corner and at the southeast corner.

As you can see, the Village Plan Commission did not recommend approval of the street light at this location or street lights at this location. And you have other comments there from the Police Chief and the Fire Chief, and they're here if you'd like to ask them any questions either.

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John Steinbrink:

Trustee Serpe?

Michael Serpe:

I'm going to oppose this recommendation for the following reasons. We have criteria set, and as far as I know with the report from the police department there's no criminal activity, there's no major accidents at this intersection. Matter of fact, one of them I believe was during a snow storm, one car rear ended another. The visibility from Green Bay Road to Old Green Bay Road there are no obstructions whatsoever as far as lighting is concerned. And I will support a light at this intersection if and when 82nd Street goes through to Old Green Bay Road as it originally was proposed to do, and the City failed to follow through with that. If that happens then I would say there's enough traffic on that road that would warrant the street light. Right now I can't support it.

John Steinbrink:

Mike, do you recall what the cost per light was?

Michael Serpe:

I'm sorry?

John Steinbrink:

The cost per light per year.

Michael Serpe:

\$135.

Mike Pollocoff:

\$135 a year.

John Steinbrink:

Okay, and that's borne by the taxpayers?

Mike Pollocoff:

Right. That's the least expensive. It could be more than that. That's the least.

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Michael Serpe:

And this Village is rather stingy on handing out street lights for a lot of reasons, and I just don't see that on a one person request because it's rather dark. There's a lot of dark intersections in this Village. I think the majority of the people in the Village want to keep it the way it is without lighting it up. Move to deny.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion for denial by Trustee Serpe, seconded by Steve. Further discussion? Clyde?

Clyde Allen:

Thank you, Mr. President. Mike I understand exactly what you're saying. I like the idea of the 82nd Street going through, generating more traffic, and a need there. I do use this road a lot and I do see it a lot, I do see more traffic coming from the south toward 85th Street. I can see why the request was made. I agree with denying it at this time, but I can see why the request was made. I really can.

John Steinbrink:

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

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION TO DENY THE REQUEST TO INSTALL STREET LIGHTS AT THE INTERSECTION OF OLD GREEN BAY ROAD AND 85TH STREET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

G. Consider Resolution #12-12 - Preliminary Resolution declaring intent to exercise special assessment police powers in connection with the construction of public water main improvements located in an east-west orientation in the unimproved right-of-way of 77th Street west of 105th Avenue and northerly in the future right-of-way of 109th Avenue south of STH 50 (75th Street).

Mike Spence:

Mr. President and members of the Board, this resolution before you deals with the installation of a new water main. This is necessary because of the Lynch Chevrolet development that's going on now. In order to provide them water service, we are looking at extending water from 77th Street to the west along the unimproved right of way that exists there, and then also north along the future 109th Avenue. This resolution - if we move forward - we complete the design and bid the project and award it within probably about two months, and the construction would start and

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the intent would be to have water service – have Lynch capable of connecting to water at about the middle of July.

As an assessment project we are proposing to assess the parcels along the water main on a front footage basis. So I recommend that this resolution be adopted so we can proceed with the bidding and construction of this project.

Mike Pollocoff:

I have one thing for the record, Lynch is going to be a beneficiary of this project, but it's not the primary reason we're doing it. As part of the Highway 50 reconstruction project local roads are going to be constructed, and 77th and 109th are going to be built by the State, but we want to get this infrastructure in before the road improvements are going to go. And it's going to enable Lynch to have his access off 109th as well as all these parcels that will be assessed. It's going to make those parcels buildable at such time that the State completes their project. So this is really part of a bigger project involving Highway 50.

Michael Serpe:

Good planning. I'd move approval of Resolution 12-12.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde for adoption of Resolution 12-12. Further discussion?

Steve Kumorkiewicz:

One question, Mike. Who is paying for this?

Mike Pollocoff:

Who is paying for the water main?

Steve Kumorkiewicz:

For the project, yes.

Mike Pollocoff:

The benefitting property owners.

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Steve Kumorkiewicz:

Yeah, but it's already [inaudible] we're going to have a street, we know who the property owners are over there, correct?

Mike Pollocoff:

Right.

Steve Kumorkiewicz:

So are they aware they're going to be assessed for that?

Mike Pollocoff:

That's what this is starting.

Steve Kumorkiewicz:

Okay. I wanted to make sure. Thank you.

John Steinbrink:

It's the police powers thing we do that confuses people.

Steve Kumorkiewicz:

That's why I want to clarify.

John Steinbrink:

We have a motion and a second. No further discussion?

SERPE MOVED TO ADOPT RESOLUTION #12-12 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS IN CONNECTION WITH THE CONSTRUCTION OF PUBLIC WATER MAIN IMPROVEMENTS LOCATED IN AN EAST-WEST ORIENTATION IN THE UNIMPROVED RIGHT-OF-WAY OF 77TH STREET WEST OF 105TH AVENUE AND NORTHERLY IN THE FUTURE RIGHT-OF-WAY OF 109TH AVENUE SOUTH OF STH 50 (75TH STREET; SECONDED BY ALLEN; MOTION CARRIED 5-0.

H. Consider a Professional Services Agreement for Traffic Analysis Services for the preparation of a capacity analysis for 39th Avenue between STH 165 and 93rd Street.

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Mike Spence:

Mr. President and members of the Board, what you have before you this evening is an agreement from the company R.A. Smith National. Back in November of last year the Board approved an agreement with the Wisconsin Department of Transportation to receive funding for the construction of the expansion of 39th Avenue from just where the previous roundabout project ended to the north past 97th Street. As part of this project to move forward with the design and the construction the DOT requires that a traffic study and a capacity analysis be done to justify the expansion of the roadway from its current two lane rural configuration. So this agreement tonight would include the study to do this capacity analysis. This particular project would include some traffic counts. They do projections of traffic and geometrics at the intersection and then prepare a report on future geometrics which is like the number of lanes and turning movements and so forth.

Once this report has been completed it would be submitted to the DOT and SEWRPC and as part of a step for concurrence moving forward with the design. I did request proposals from two qualified firms, and the firm that I am recommending met all the criteria for the work and their qualifications. Their fee was a little bit more than \$3,000 less. The total contract amount would be for \$11,400. I recommend that the contract from R.A. Smith National be approved.

Michael Serpe:

I have no problem with the contract, Mike. Have we decided as yet to where the detour is going to be when this construction starts?

Mike Spence:

No, I guess procedurally what will happen is once this capacity analysis gets completed then we will go ahead and hire a consultant to do the design. And then we anticipate having to potentially acquire some real estate. So the actual construction of this project probably wouldn't happen until 2014 or 2015 at the earliest. But at that point we would certainly – part of the design plans would be a detailed detour map so that would be developed at that time.

Michael Serpe:

I'm hoping that if construction does commence in '14 or '15 that it's possible that we can keep at least a portion of this road open while construction is taking place on one side and then move it over to the other and open up the constructed side. I know it's kind of difficult, but from 97th Street to 93rd Street there's three lanes there. I'm just hoping. What I'm anticipating is the routing to be going through Rolling Meadows and Hill 'N Dale, and they're not going to be able to handle that type of traffic.

Mike Spence:

Right. I think these are the type of concerns that we will address during the design and come up with different options of trying to maintain. With the capacity expansion there is a possibility of

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constructing maybe one, like the east side first and then the west side. So that's definitely something that we would definitely look into.

Monica Yuhas:

I'll make a motion to award R.A. Smith National the professional service agreement for the traffic analysis not to exceed \$11,400.

YUHAS MOVED TO APPROVED A PROFESSIONAL SERVICES AGREEMENT WITH R.A. SMITH NATIONAL FOR TRAFFIC ANALYSIS SERVICES FOR THE PREPARATION OF A CAPACITY ANALYSIS FOR 39TH AVENUE BETWEEN STH 165 AND 93RD STREET IN AN AMOUNT NOT TO EXCEED \$11,400; SECONDED BY ALLEN; MOTION CARRIED 5-0.

I. Consider Real and Personal Property Assessment Services Agreements with the Town of Randall, Town of Brighton and the Town of Salem for the term January 1, 2013 through December 31, 2018.

Rocco Vita:

Mr. President and members of the Board. Good evening. You have in front of you in your packets a memo from me and three intergovernmental agreements for assessment services for the Town of Randall, Town of Brighton, Town of Salem each signed by the Town Chairman and the Clerk in those communities. I'm going to be asking you to look favorably and approve the process and add Pleasant Prairie's signature to those documents.

But first to give you some background, many of you are aware that beginning in the early '70s Kenosha County had a County Assessor's office, and they terminated that operation during 1995. At that point municipalities in the County were required to attain their own assessment services, either hire an assessor or contract with someone in the State.

And I think my third paragraph in the memo sums up what occurred here relatively well, and I'm going to read that for you. In response to the County's actions, a group of County municipalities led by Pleasant Prairie worked cooperatively to create Wisconsin's first and, as far as I know, the only municipal sharing agreement covering assessment services. The stated goal of this consortium of communities was to establish a local assessment office staffed with capable personnel who are knowledgeable of local real estate values as well as assessment law and practice. The expected benefits of this arrangement are retention of local control and accountability as well as professional service at a reduced cost. The actual cost of our operation is allocated equally to each community based on their total parcel count.

When you look at the image up on the wall, you see the revenue sources for our office come predominantly from the assessment service agreements. Fifty three percent of my budget comes from assessment service agreements. Eight percent comes from the property record and maintenance fees which is a revenue program we have. And the balance, 39 percent, comes from the Village's levy. So the Village is able to have, as well as all these other communities, a

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professional assessor's office of six people in order to perform their revaluations every two years, to deal with the public and maintain their property records.

You'll also see that Pleasant Prairie is the largest of the communities at almost 11,000 parcels. This includes personal property and mobile homes. Salem is second at 7,500, Twin Lakes at 4,400, Randall at 2,150, and Brighton just under 900, so a total of just under 26,000 parcels. Today we're looking at renewing the intergovernmental agreements with the Town of Salem, the Town of Randall and the Town of Brighton. That will run from 2013 through 2018. We kind of jump early and get these things signed ahead of time so in case people decide they don't want to join everybody has an opportunity to react to that.

And next year I'll be coming forward and hopefully asking you to approve another agreement for a term of 2014 through 2019 for the Village of Twin Lakes. But tonight we just have the three, Randall, Salem and Town of Brighton. And I would recommend that you look favorably upon this opportunity for the Village taxpayers to have a quality service at a very reasonable rate, a professional service unlike any other in the State of Wisconsin and vote to approve the agreements.

Michael Serpe:

How can we refuse that?

Monica Yuhas:

Rocco, that slide is very impressive. When I look at the total parcels for the size of your staff and the quality product that you put out, your department does a phenomenal job, and you're to be commended on your leadership and everyone who works with you. That's a lot of parcels. What does the City have for parcels, do you know?

Rocco Vita:

I don't. I think they're around 30,000. They're a pretty big community for their staff, too. But I will say that when you take into account our community we have a far greater area to maintain and patrol in a sense, but we have a much more diverse grouping of properties from very expensive \$2 million lakefront properties in the Town of Brighton to \$20,000 to \$25,000 cottages in smaller quality developments and lower quality developments in Salem.

Monica Yuhas:

Job well done.

Monica Yuhas:

Thank you. I appreciate your comments.

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John Steinbrink:

I want to echo Monica's remarks, because the quality of service your provide people take it for granted. But in my other life I serve on the Ways and Means Committee in Madison, and I get to see the communities that don't have quality representation or services from people like you and the folks that work for you. And we end up passing laws in order to correct the mistakes that are made out there. They're expensive mistakes. So you're far better having a quality team up front than having to deal with the ramifications later. That's the things people don't see. But I think the Board appreciates it. I'm not sure if all the residents know the gem we have for an assessing department. I know other communities are realizing it, and I know we have a lot of requests actually to broaden that horizon farther. But you take care of what you take care of and you do a professional job. It saves us a lot of money I'll tell you.

Rocco Vita:

Thank you Mr. President.

John Steinbrink:

Clyde?

Clyde Allen:

Thank you, Mr. President. Thanks, Rocco. I just want to say that back in '95 I worked for the County, and when the assessor's office was disbanded the word was heavily that Pleasant Prairie got the best of the best. So being on the Board now I surely can attest to that that we really came out ahead. So thanks for all you do.

Rocco Vita:

Appreciate it.

Michael Serpe:

I would move approval of the Rocco Vita assessing consortium and the professional –

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde. Further discussion?

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SERPE MOVED TO APPROVE REAL AND PERSONAL PROPERTY ASSESSMENT SERVICES AGREEMENTS WITH THE TOWN OF RANDALL, TOWN OF BRIGHTON AND THE TOWN OF SALEM FOR THE TERM JANUARY 1, 2013 THROUGH DECEMBER 31, 2018 AS PRESENTED; SECONDED BY ALLEN; MOTION CARRIED 5-0.

J. Consider Third Amendment to Ground Lease with TowerCo. Assets for the site located at the southeast corner of 104th Street and Sheridan Road.

Tom Shircel:

Thank you, Mr. President and Village Trustees. Before you tonight is the third amendment to the existing option and lease agreement to allow HierComm to locate some ground equipment on the Village owned property located at 1105 104th Street. That's the southeast corner of 104th Street and Sheridan Road. That's the Village water booster station site, and that's Tax Parcel Number 93-4-123-301-0901. The antennas that this equipment will support they plan to put on eight antennas on this 180 foot monopole tower at this location at a height of 167 feet. And it's to support a broadband wireless network, public safety network proposed by Kenosha County.

As some brief background to this site, I'll go over this briefly, back on July 12, 2004 the Plan Commission conditionally approved a conditional use permit and site and operational plans for Nextel to install a 180 foot monopole tower with nine antennas at 150 feet. October 4, 2004 the Village and Nextel Communications entered into a ground lease agreement. The original base rent was \$1,700 per month with an annual increase of 15 percent of the rent in effect at that time. June 11, 2007 the Plan Commission conditionally approved a conditional use permit and site and operational plans for Nextel to install three additional antennas at 150 feet on that tower. That brings Nextel's antennas to 12 total.

July 11, 2007 the Village and Nextel entered into amendment number 1 to the original ground lease agreement, and that increased the base rent by \$229.50, so Nextel was then paying \$1,929.50 per month. September, 2008 Nextel assigned its ground lease to the current owner which is TowerCo., so TowerCo. currently owns that tower. August 9, 2010 the Plan Commission approved a conditional use permit and site and operational plans for Open Range to sublease property at the Village owned property, 28 square feet. October 4, 2010 the Village Board approved the second amendment for the ground lease, however Open Range never installed any equipment within the ground lease area, so that expired and nothing happened with that second amendment. Thus is the third amendment.

As far as the rent is concerned for this facility, TowerCo. will pay the Village \$400 per month in rent with an annual 15 percent increase of the rent of the amount then in effect. TowerCo. will be responsible to collect the sublease rent from Kenosha County who will then in turn pay the Village.

Finally, at its meeting last Monday on March 12th the Plan Commission reviewed and approved a conditional use permit and site and operational plans for the Kenosha County HierComm sublease facility. And with that the Village staff recommends approval of this third amendment to the existing agreement.

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Steve Kumorkiewicz:

Move to approve.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica, any further discussion?

KUMORKIEWICZ MOVED TO APPROVE THE THIRD AMENDMENT TO GROUND LEASE WITH TOWERCO. ASSETS FOR THE SITE LOCATED AT THE SOUTHEAST CORNER OF 104TH STREET AND SHERIDAN ROAD; SECONDED BY YUHAS; MOTION CARRIED 5-0.

L. Consider an award of contract for a supplier to provide new high efficiency lights for RecPlex Field House as well as both Blue & Green Ice Arena Rinks.

Mike Pollocoff:

This is a very bright subject that Tom's going to be talking about.

Tom Patrizzi:

Thank you, Mr. President and Village Board members. The RecPlex is proposing a new re-lamping project not only in the field house but on both ice rinks. We're looking to put in some new technology and save energy costs. The outdated metal halides that we're burning right now are not only producing heat on the ice but also are costly to operate. So we had three bids, Murphy Energies, Orion Engineering Systems and Consolidated Electrical. As you can see, Murphy came in with the lowest at \$46,936, so the staff is proposing that you guys would accept that.

Michael Serpe:

These are LEDs, Tom?

Tom Patrizzi:

No, we did look into LEDs, and as you know with the street lighting and everything, it's like a straight down direct lighting right now and there's no cone. They're on the threshold of getting them, but it's just not made yet. So two or three years we might be coming back with LED technology, but right now it's just not out there or enough lighting especially on the ice rink side.

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Mike Pollocoff:

These have a ten month payback.

Tom Patrizzi:

Ten month payback, correct. And we'll be doing everything in house.

Mike Pollocoff:

So they are efficient.

Monica Yuhas:

Tom, do you know of any other communities that used Murphy Energy Systems for replacement of lights?

Tom Patrizzi:

They're not actually – it's just the manufacturer or the seller. They're actually Orion Lighting is the product.

Monica Yuhas:

It's just that they've come in so low.

Tom Patrizzi:

Not so low. It was a package and I think that's why Consolidated came in so high because they priced out everything individual, the hangers, the clamps and the cords and everything. Where these other two companies actually have kits that all come together. So that's why Murphy was able to come in at such a lower.

Clyde Allen:

Just a quick comment. \$35,000 annual savings.

Tom Patrizzi:

That's estimated just on the field house. We haven't even put numbers together because of the heat load and everything that it's going to produce on the IcePlex side. So we're hoping on saving more than that.

Clyde Allen:

With that I make a motion to approve.

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Michael Serpe:

Second.

John Steinbrink:

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

ALLEN MOVED TO AWARD A CONTRACT TO MURPHY ENERGY SYSTEMS TO PROVIDE NEW HIGH EFFICIENCY LIGHTS FOR RECPLEX FIELD HOUSE AS WELL AS FOR BOTH BLUE & GREEN ICE ARENA RINKS IN AN AMOUNT NOT TO EXCEED \$46,936; SECONDED BY SERPE; MOTION CARRIED 5-0.

John Steinbrink:

Thank you, Tom.

M. Consider amendment to the Village of Pleasant Prairie Employee Handbook to update the Retiree Health and Dental Insurance Plan.

Mike Pollocoff:

Mr. President, this update is really brought about by the changes in collective bargaining done by the State of Wisconsin. We had one group who was represented by a union whose ability to be represented by a union was taken away and that's the dispatchers. So they outside of the plan. What this does is for those non-represented public safety personnel, i.e., dispatchers and the clerk that works with them, they're able to retire at age 55 with 20 years of service. And the age determination is a variable amount. The State can change that and they have been working on changing that. They can retire at that age as long as they have 20 years of service, and they'll be able to purchase health insurance from the Village at whatever the monthly cost is for the Village. So this doesn't provide them with no cost insurance or low cost. It's going to be whatever it costs us is what they'd have to agree to pay. Without that amendment they would kind of be caught in between two different worlds.

The other clarification on this is if we have retirees that pass away, and they're married and their surviving spouse was dependent on our insurance, technically after the death of a spouse they would lose their insurance. So this would keep them on insurance until they're Medicare eligible. And then finally the changes also give me the authority to modify or expand benefits to our department heads at such time as the Village that an earlier retirement would be advantageous financially for the Village. So I recommend the changes to the employee handbook be made.

Clyde Allen:

Make a motion to approve.

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Monica Yuhas:

Second.

John Steinbrink:

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

ALLEN MOVED TO APPROVE AN AMENDMENT TO THE VILLAGE OF PLEASANT PRAIRIE EMPLOYEE HANDBOOK TO UPDATE THE RETIREE HEALTH AND DENTAL INSURANCE PLAN; SECONDED BY YUHAS; MOTION CARRIED 5-0.

8. VILLAGE BOARD COMMENTS

Monica Yuhas:

I have one. Tomorrow night the Pleasant Prairie Women's Club will be sponsoring the School Board candidate forum. So if anyone can attend it starts at 6:30 in the Village Hall here. And audience members are given index cards, and you are allowed to write questions down. And those questions will be given to all of the candidates during the night. So you know Kenosha Unified makes up the biggest part of your tax bill, and there's a lot of changes going on. So it would be nice to see an auditorium full. I know it's outside and I've had some phone calls on it, but all the people who are on the ballot will be here tomorrow night to debate. So if you can make it it would be great to see you.

Michael Serpe:

A couple weeks ago, not even a couple weeks ago we have a 15 state swim meet at the RecPlex, 600 kids involved in swimming. And I went and observed it for a little bit, and I'll tell you it was very impressive how it was run. I think what's even more impressive is I guess Harvard University was represented, and we had even four swimmers that are qualifying for the Olympics. Very, very impressive to see something like this taking place in our Village. So congratulations to the RecPlex staff for making it happen. I know there's more coming and that's great.

Clyde Allen:

Mike, as a follow up to that, Mike and Carol and Chris put together a nice presentation about what had happened, what had occurred. And not to beat what you had said but the only comment I want to reiterate is I believe the economic impact ran close to \$1 million for this community which needs mentioning for something like that to occur here.

Mike Pollocoff:

Remember, it was a four day event, and it was at a time of the year where typically the hotels are not busy. So they were all stacked. And if you were out and about at the restaurants or around

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Prime or some of the other places you see these kids in their sweatshirts that showed the meet, so I think it was 803 swimmers. Harvard women's team did really well. Was there four or five Olympic cuts?

—:

Six.

Mike Pollocoff:

Six. There are four regional meets in the United States and one of them was held here. And out of that for sure there are six people that are going to be going to the Olympic trials based on their times here. We had people from Arizona, California, Massachusetts, all over the place. So it was a quality meet and a really nice event. Hopefully in the future people know about it and come out and see it happen. These happen every two years and we're hoping we get it again in two years.

John Steinbrink:

Just a couple short things. Also to comment on that, with the nice weather people were really moving around there, and they were going out around the lake walking down 165 to the restaurants and to Prime. We talked about the financial impact. Even this weekend you had two events out there that drew quite a crowd out there. Once again, a boon to the area industries and that.

Another issue is the Historical Society. Jean, you're working on putting out a dessert cookbook. There was an event here two or three weeks or four weeks ago?

Jean Werbie-Harris:

February 29th. And it was a cooking —

John Steinbrink:

A number of people and a lot of good desserts. So if you're not on a diet that is the cookbook for you. I think there's even a few skinny recipes in there. Since my knee surgery I spend more time at the RecPlex. I get to see what's going on out there. I'm quite impressed with people dropping off kids, the special needs children coming in, just all my neighbors that are working out that I didn't know actually worked out. Some fake it and some really work out. But, Tommy, if you could work on the spiders on the windows. Because when I sit on that bicycle there there's like 1,000 spiders on that window. It's kind of freaking me out. If you could go out there and squish them I'd appreciate it.

And another thing that Madison did up there, and we keep hearing about how Madison is for local control and everything else, and this last roundup of the session they passed a bill which let's call it adds more overreach power grab and a lobbyist giveaway I'll call it just to be brief. It takes away our ability for a moratorium and puts it in State control. We do a moratorium for a number

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of reasons, some of them being we can't afford or support the growth. We don't have the infrastructure for the growth. It's a burden on our taxpayers. It jeopardizes public safety when we can't provide fire protection or everything else needed there. But once again Madison thought better, and the bill is on its way to the Governor, and we'll see if the Governor really means what he talks about when he talks about looking out for the taxpayers, because this is a burden to the taxpayers, hurts them and is something that never, never should have happened but it did. Madison once again is not looking out for the taxpayers unfortunately.

There's been a number of these bills this year, and we'll probably be talking about more of them as they come up and put more of a burden on the taxpayers, the rate payers, and we're going to pay for the giveaways that they do in Madison to the special interest groups. Because all of a sudden Madison knows better than what we know on what's happening in our own community, the place where we create jobs, people feel secure, and we have low taxes. So I think maybe they should just come down here and listen and talk to us but nobody wants to do that. So hopefully somebody will start that pretty soon, because maybe when the recall gets going somebody will start actually listening and talking and they'll repeal some of the stupidity they've passed. That's my soap box. Serpe always gets to stand on his. I'm on mine today. Any further Village Board comments?

9. ADJOURNMENT

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY ALLEN; MOTION CARRIED AND MEETING ADJOURNED AT 7:20 PM.



Office of the Village Finance
Director/Treasurer
Kathleen Goessl

TO: Village Board
FROM: Kathy Goessl
Cc: Mike Pollocoff
DATE: April 2, 2012
SUBJECT: 2012/2013 Liability and Property Insurance Proposals

The Village will be entering its third year of a three year price cycle for our liability insurance. In 2010, the Village requested proposals from all interested companies. The League of WI Municipalities proposal was chosen by the Village Board for 2010/2011 policy year. The Village advised the bidders of their right to bid in subsequent years if the Village determined that the proposed renewal prices, of our current carrier, were too high.

Our 2012/13 insurance proposals from our current carriers decreased by 3%. The proposed premium is \$441,992. This is decrease of \$13,866 or 3% from last year (see attached premium comparison). The majority of the decrease is due to a decrease in our worker compensation experience mod from 1.09 to .91. We also received better proposals for boiler & machinery and commercial crime from R & R insurance, our current agency for our liability coverage with the League of WI Municipalities. We haven't yet received a proposal from the Local Government Property Insurance Fund (LGPIF), but their estimate is approximately the same as the previous policy year.

The Village, RecPlex and Utilities have a 2012 budget amount of \$489,255 for liability and property insurance. For 2012, we will be under budget by \$47,343, the biggest amount being saved in worker compensation (\$46,006) because of the reduction in our mod.

My recommendation is to renew with our current insurance carriers, League of WI Municipalities for liability and worker compensation coverage and Local Government Property Insurance Fund for property and automobile physical damage. I would recommend switching carriers for boiler & machinery to Liberty and commercial crime to C N A, saving \$3,344 over our current carries for these lines of coverage.

Village of Pleasant Prairie
Property & liability Insurance Program
Premium Comparison
April 1, 2012

Lines of Coverage	2011/12		2012/2013				Changes
	Premium	Carrier	Premium	Coverage	Deductible	Carrier	
Automobile Liability	15,260	League	15,456	5,000,000	1,000	League	196
General Liability	54,294	League	57,009	5,000,000	1,000	League	2,715
Law Enforcement Liability	11,638	League	12,220	5,000,000	1,000	League	582
Public Officials Liability	28,528	League	29,954	5,000,000	1,000	League	1,426
	109,720		114,639				4,919
Property	30,411	LGPIF	30,411	91,859,634	25,000	LGPIF	-
Automobile Physical Damage	39,363	LGPIF	39,363	7,298,914	1,000/2,500	LGPIF	-
	69,774		69,774				-
Boiler & machinery	6,953	Zurich	3,994	81,573,670	2,500	Liberty	(2,959)
Commercial Crime	1,262	Hanover	877	100,000	1,000	C N A	(385)
	8,215		4,871				(3,344)
Workers Compensation	268,069	League	252,628			League	(15,441)
Total Before Dividends	455,778		441,912				(13,866)

Village of Pleasant Prairie
2012 Insurance Budget

	Worker Compensation	Property & Liability	Total
General Government	189,523	99,469	288,992
Sewer Utility	11,106	9,699	20,805
Water Utility	10,574	11,825	22,399
Solid Waste	12,450	-	12,450
RecPlex	64,034	36,233	100,267
Clean Water	4,964	2,175	7,139
Internal Service Fund	5,983	31,220	37,203
Total	298,634	190,621	489,255
			-
12/13 Proposals	252,628	189,284	441,912
Over budget /(Under Budget)	(46,006)	(1,337)	(47,343)

ORDINANCE #12-13

ORDINANCE TO CREATE CHAPTER 290 OF THE MUNICIPAL CODE OF THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN RELATING TO SOCIAL HOSTS

BE IT ORDAINED AND ESTABLISHED, by the Village Board of the Village of Pleasant Prairie, Kenosha County, Wisconsin that Chapter 290 of the Municipal Code be created to read as follows:

1. PURPOSE AND FINDINGS

The Village Board of the Village of Pleasant Prairie intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons civilly responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The Village Board of the Village of Pleasant Prairie finds:

- (A) Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty-one are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.
- (B) Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol related traffic collisions.
- (C) Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.
- (D) Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and condone the activity, and in some circumstances, provide the alcohol.
- (E) A deterrent effect will be created by holding a person responsible for hosting an event or gathering where underage possession or consumption occurs.

2. DEFINITIONS

For purposes of this chapter, the following terms have the following meanings:

- (A) **Alcohol.** “Alcohol” means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin or any other distilled spirits

including dilutions and mixtures thereof from whatever source or by whatever process produced.

- (B) **Alcoholic Beverage.** “Alcoholic beverage” means alcohol, spirits, liquor, wine, beer and every liquid or solid contained alcohol, spirits, wine or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.
- (C) **Event or Gathering.** “Event or gathering” means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- (D) **Host or Allow.** “Host” or “allow” means to aid, conduct, entertain, organize, supervise, control or permit a gathering or event.
- (E) **Parent.** “Parent” means any person having legal custody of a juvenile:
 - 1. As natural, adoptive parent or step-parent;
 - 2. As a legal guardian; or
 - 3. As a person to whom legal custody has been given by order of the Court.
- (F) **Residence.** Premises or Public or Private Property. “Residence”, “premises”, or “public or private property” means any home, yard, farm, field, land, apartment, condominium, hotel or motel room or other dwelling unit, or a hall or meeting room, park or any other place of assembly, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented or used with or without permission or compensation.
- (G) **Underage Person.** “Underage person” is any individual under twenty-one (21) years of age.
- (H) **Present.** Being at hand or in attendance.
- (I) **In Control.** The power to direct, manage, oversee and/or restrict the affairs, business or assets of a person or entity.

3. PROHIBITED ACTS

It is unlawful for any person(s) to: host or allow an event or gathering at any residence, premises or on any other private or public property where alcohol or alcoholic beverages are present when the person knows that an underage person will or does consume any alcohol or alcoholic beverage; or possess any alcohol or

alcoholic beverage with the intent to consume it; and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).

- (A) A person is responsible for violating this section if the person intentionally aides, advises, hires, counsels or conspires with or otherwise procures another to commit the prohibited act.
- (B) A person who hosts an event or gathering does not have to be present at the event or gathering to be responsible.

4. EXCEPTIONS

- (A) This chapter does not apply to conduct solely between an underage person and his or her parents while the parent is present and in control of the underage person.
- (B) This chapter does not apply to legally protected religious observances.
- (C) This chapter does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

5. PENALTIES

A person who violates any provision of this ordinance is subject to a forfeiture of not less than \$1,000 or more than \$5,000, together with the costs of prosecution. A person who is in default of payment is subject to imprisonment in the county jail until the forfeiture and costs are paid.

Passed and adopted this 2nd day of April, 2012.

VILLAGE OF PLEASANT PRAIRIE

John P. Steinbrink, President

ATTEST:

Jane M. Romanowski, Village Clerk

1st Reading: March 19, 2012
2nd Reading: April 2, 2012

Posted:_____



MEMO

Office of the Village
Engineer/Building Inspection
Michael Spence, P.E., LEED® AP

TO: Mike Pollocoff/Village Administrator
Jane Romanowski/Village Clerk

FROM: Mike Spence/Village Engineer

DATE: March 27, 2012

SUBJ: Final Paving – Ashbury Creek Subdivision

I have received a letter (attached) from Mark Bourque, agent for Burco Holdings, regarding final paving in the Ashbury Creek Subdivision. It is a request to install the final lift (wear course) of asphalt for the public roadways (see attached figure). It also requests that this be included in the Village's RFP for construction of the 2012 Paving Program.

The Ashbury Creek Development includes 81 lots. Currently there are 53 lots that have homes constructed and are occupied plus 3 that are under construction. This total represents 69% of the total. To reach 75% constructed would require an additional 5 homes to be built this year. In 2011, 11 homes were built in the subdivision, which leads me to believe that the 75% level is reasonable for this year.

By approving the final paving now and adding it to the 2012 Village Paving Program an economy of scale can be achieved for construction costs and will help to ensure that we don't have to request more money from the Burco Holdings to complete the paving.

I recommend that we include the final paving of the public roadways in Ashbury Creek as part of the Village's 2012 Paving Program and that this be approved by the Village Board.

Prudential Premier Properties
6040 39th Avenue, Suite 4
Kenosha, WI 53142
Bus 262 605-1505 Fax 262 605-1519
mbourque@prudentialkenosha.com

March 27, 2012

Mr. Michael Spence
Village Engineer
Village of Pleasant Prairie
9915 39th Avenue
Pleasant Prairie, WI 53158

Sent via email only mspence@plprairiewi.com


Re: Ashbury Creek Paving

Dear Mr. Spence:

Pursuant to our conversation today, please accept this letter as our request to install the final lift (wear course) of asphalt paving at Ashbury Creek prior to 75% of the lots being built upon. If this request is granted, please also include the scope of this work in the Village's RFP Paving program for 2012.

Should you have any questions please contact me at 262.605.1505.

Very truly yours,



Mark S. Bourque
Agent for Burco Holdings, LLC.

ASHBURY CREEK SUBDIVISION FINAL PAVING



*The Village of Pleasant Prairie makes no representations concerning the accuracy or validity presented on this map. This information is for inquires only, not to be used for system design purposes. System designers should call for locates and perform an independent site visit (scheduled with the Village) for their designs.

Consider the request of D.N. Buchholz, Senior Vice President for Bank of Kenosha, owner, of the property located at 11934 28th Avenue for a **two (2) year extension for the Final Plat, Development Agreement and related documents and to extend the Preliminary Plat approval** for The Orchard Subdivision.

Recommendation:

Village staff recommends approval of the request subject to the comments and conditions of the Village Staff Report of April 2, 2012.

VILLAGE STAFF REPORT OF APRIL 2, 2012

Consider the request of D.N. Buchholz, Senior Vice President for Bank of Kenosha, owner, of the property located at 11934 28th Avenue for a **two (2) year extension for the Final Plat, Development Agreement and related documents and to extend the Preliminary Plat approval** for The Orchard Subdivision.

On November 19, 2007 the Village Board conditionally approved the Preliminary Plat for The Orchard Subdivision pursuant to Resolution #07-77. The Preliminary Plat approval is valid for two (2) years; however prior to the expiration of the Preliminary Plat the Final Plat shall be approved unless an extension is granted.

On November 10, 2008 the Plan Commission held a public hearing related to the Final Plat, Development Agreement and related documents and recommended that the Village Board approval the Final Plat and related documents provided that all conditions are satisfied prior to April 10, 2009.

On March 2, 2009, the Village Board approved an extension of The Orchard Final Plat (until April 10, 2010) to comply with the conditions set forth at the November 10, 2008 Plan Commission public hearing and for the Village Board to consider the Final Plat and related documents. In addition, the Village Board approved an extension of The Orchard Preliminary Plat approval (until April 10, 2010) pursuant Village Board Resolution #07-77.

On February 1, 2010, the Village Board approved a two (2) year extension to comply with the conditions set forth at the November 10, 2008 Plan Commission public hearing and for the Village Board to consider the Final Plat and related documents (until April 10, 2012). Furthermore, the Village staff recommends that the Preliminary Plat be extended until April 10, 2012 pursuant Village Board Resolution #07-77. A copy of said conditions and Resolution are on file with the Community Development Department. In addition, to compliance with the conditions stated above, any additions, modifications or changes in Village, County, State or federal ordinances, polices or regulations that are in effect prior to the Final Plat being considered by the Village Board shall also apply.

At this time the owner is requesting another two (2) year extension for the Village Board to consider the Final Plat (to expire April 10, 2014) and a two (2) year extension of the Preliminary Plat (to expire April 10, 2014).

Village staff recommends that the Village Board grant a two (2) year extension to comply with the conditions set forth at the November 10, 2008 Plan Commission public hearing and for the Village Board to consider the Final Plat and related documents (until April 10, 2014). Furthermore, the Village staff recommends that the Preliminary Plat be extended until April 10, 2014 pursuant Village Board Resolution #07-77. A copy of said conditions and Resolution are on file with the Community Development Department. **In addition, to compliance with the conditions stated above, any additions, modifications or changes in Village, County, State or federal ordinances, polices or regulations that are in effect prior to the Final Plat being considered by the Village Board shall also apply.**



RECEIVED
MAR 15 2012
Village of Pleasant Prairie

262-657-BANK (2265)

March 12, 2012

Ms. Peggy Herrick
Assistant Planner and Assistant Administrator
Village of Pleasant Prairie
9915 39th Ave
Pleasant Prairie, WI 53158

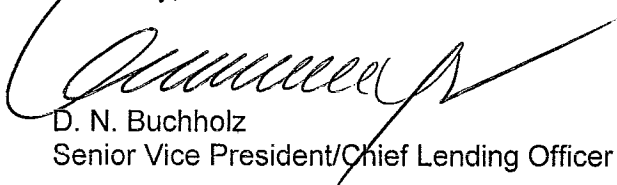
Re: The Orchard Subdivision

Dear Ms. Herrick:

It has come to my attention that the Preliminary Plat and Final Plat for the Orchard Subdivision located at 11934 28th Avenue, in Pleasant Prairie, will expire soon. In this regard, Bank of Kenosha requests a two year extension of both as we continue to market the property to another developer.

Enclosed please find our \$200.00 application fee. Should you have any questions, please contact me at 262/842-1068 or our real estate broker, Mark Bourque, at 262/605-1505.

Sincerely,



D. N. Buchholz
Senior Vice President/Chief Lending Officer

Encl: \$200.00 check

www.bankofkenosha.com

MAIN OFFICE
5117 Green Bay Road, Kenosha, WI 53144
P.O. Box 548, Kenosha, WI 53141-0548
Fax: (262) 653-1018

SOUTH BRANCH
8056 39th Avenue, Kenosha, WI 53142
P.O. Box 548, Kenosha, WI 53141-0548
Fax: (262) 925-0220

WEST BRANCH
7201 120th Avenue, Kenosha, WI 53142
P.O. Box 548, Kenosha, WI 53141-0548
Fax: (262) 857-2223

**CLERK'S CERTIFICATION OF
BARTENDER LICENSE APPLICATIONS**

Period Ending: March 27, 2012

I, Jane M. Romanowski, Village Clerk of the Village of Pleasant Prairie, Kenosha County, Wisconsin, do hereby certify the following persons have applied for bartender licenses and **each applicant is in compliance with the guidelines set forth in Chapter 194 of the Municipal Code**. I recommend approval of the applications for each person as follows:

NAME OF APPLICANT

LICENSE TERM

1. Jennifer R. Licary

thru June 30, 2014

Jane M. Romanowski
Village Clerk