

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
January 16, 2012
6:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes of Meetings – December 19, 2011 and January 9, 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. Receive Plan Commission recommendation and Consider Ordinance #12-01 to amend Section 420-137 of the Zoning Ordinance related to Planned Unit Developments District requirements.
 - B. Consider award of contract for the Roger Prange Municipal Center Access Control System.
 - C. Consider Resolution #12-02 accepting the public street, infrastructure and landscaping improvements for Lots 1-4 of Certified Survey Map 2520 for the Creekside Hill development located in the vicinity of 114th Place and 39th Avenue.
 - D. Consider a Professional Services Agreement for Geotechnical Services for the Sewer D Maintenance Access Path.
 - E. Consider Outdoor Recreation and Grant Agreement with the Wisconsin Department of Natural Resources for the Prairie Farms Trail Development.
 - F. Consider Ordinance #12-02 to amend Chapter 292 of the Municipal Code relating to compost drop off collection fees for bulk items.
 - G. Consider Operator Licenses on file.

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8. Village Board Comments
9. Consider entering into Executive Session pursuant to Section 19.85(1)(e) Wis. Stats. to discuss, deliberate or negotiate the purchase of public property, investing of public funds, or conduct other specified public business, whenever competitive or bargaining reasons require a closed session
10. Return to Open Session and 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
December 19, 2011
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, December 19, 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; Mike Spence, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, HR and Recreation Director and Jane Romanowski, Village Clerk. Two citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

Michael Serpe:

John, before we got to the public hearing, I would ask that Item J which is Scotty's Mobile Home Park be brought forward. One of the owners is here in the audience and he has a commitment at 6:30 and we'd like to get him out of here to get him through this thing before he has to leave. So if that's okay, if you want a motion I would make that motion.

Clyde Allen:

Second.

John Steinbrink:

Motion by Mike, second by Clyde to move Item J forward on today's agenda.

**SERPE MOVED TO CONSIDER NEW BUSINESS ITEM J; SECONDED BY ALLEN;
MOTION CARRIED 5-0.**

8. NEW BUSINESS

- J. Consider the 2012 Mobile Home Park License for Scotty's Mobile Home Park, 5310 75th Street.**

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Jane Romanowski:

Mr. President and Board members, as you recall the other three mobile home park licenses were considered at our last meeting. Mr. Ruffolo was a little late in getting his application in and so we now have received that. So consideration tonight is for the mobile home park license for Scotty's Mobile Home Park at 5310 75th Street. Just as the last meeting when we had the other three parks on the agenda, there was a report prepared by the Building Inspection and Community Development Departments, and those reports are attached to the memo that was provided to you. And there was some additional correspondence from October that I supplied just so you can see that some of the items before you tonight weren't just items that came up while we were preparing the agenda.

So there aren't any outstanding real estate or personal property taxes on this parcel as we check with all the mobile home licenses or any license for that matter. And Jean can explain her portion of this matter and go through the slides because you are more familiar with them. They're all labeled as to what lot. But there are some substantial violations. And my recommendation after the Board considers it would be that it's time that this park gets cleaned up, and I don't think we should issue a license for an entire year. I think we should make it time specific, or the Board, excuse me, should make it time specific. As you can see by the pictures when they come up, there are a lot of things that need to be taken care of and I think they should be taken care of. So maybe Jean can kind of go through the slides first so you can see what we're dealing with, even though you do have the reports, and then we can discuss it further after that if that works.

Jean Werbie-Harris:

Mr. President and members of the Board, what I'd like to do is I'd like to go through the various slides. These slides were taken by Ralph Nichols, our building inspector, back in September, then again this past week out at Scotty's. And myself and Eric Cunado from the Engineering Department were out there as well, and that makes up the bulk of our comments in our reports. What we thought was very important was to go through and take photographs of a number of the mobile home units out there. And we identified a number of building inspection violations, building permit violations, as well as we identified a couple of units out there that have been damaged or destroyed to an extent because of fire or other calamity that those particular units should be removed from the park as well.

Lot 1 work was in progress and work was being done without permits. The occupants did not obtain any permits to do any work in the unit. This is a photograph inside. As you can see, they're doing some major remodeling, and whenever you're doing some major gutting and remodeling, one of the most critical aspects is that we do need to have some type of structural analysis. We need to have electrical permits, plumbing, HVAC, I mean a number of very, very important permits for us to inspect the mechanicals of the building as well as to make sure that the structure can handle the additional framing and work that's being done inside the unit.

Lot 10, again, work being in progress done without permits. In this case, again, gutted it, did quite a bit of work inside the unit, new windows, new doors, new mechanicals, a lot of different

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things that we done with respect to this one without any permits as well. Again, this is a photograph kind of through some sheer curtains. That's why it looks a little foggy. But, again, basically they gutted it completely and were rebuilding it as like a brand new home.

Lot 11 it's the vacant unit owned by the owners of the mobile home park. And, again, while it's boarded up on all sides, it actually had some issues with respect to garbage and debris and the skirting around the particular unit, and just a number of other issues. Whenever you start to have a vacant unit it's usually subject to being vandalized and this one has been as well. And, again, junk and debris has accumulated around this particular unit as well.

Lot number 12 has a unit on it. The owners of this particular unit put a porch on without any permits or approvals. Obviously, you can see that the steps leading to the unit are not code compliant either. And then there just is a lot of miscellaneous junk, debris and garbage throughout the outside of this particular unit.

Lot number 13 is another vacant unit, and what you'll see when these units are vacant for long periods of time is they have a tendency to be vandalized, windows broken, things like that. And, again, garbage and debris starts to accumulate around these units when there's nobody there.

Lot number 25 has a unit that underwent some severe fire damage. It should have been removed from the premise just because, again, it becomes an attractive nuisance. This particular one you can see what the inside looked like. It looked like they're trying to remove a lot of the fire damaged area. And, again, it looks like this one was about to begin its renovations without permits. You can see that no one has been living in this particular unit as well. Another shot of this fire damaged unit. You can see steps being taken to start to clean up this unit and to try to occupy it. Again another angle of the kitchen area of this particular fire damaged unit.

Lot 27 is a unit in need of repair. There are safety issues. I don't know if you can see it on there, but there's actually a situation where there's a cutout on the far end of the unit that was their access to get to the water heater. And then a lot of the skirting around the base of this particular unit was punched out or ripped out or vandalized. The situation whenever you have an entrance to a doorway you need to have code compliant steps with handrails and things like that. This is, again, one that has a number of safety and code violations and some junk and debris around the particular unit. Also, again, as I mentioned skirting repair, water heater compartment has not been properly sealed. Once the skirting is in disrepair a lot of things can start to accumulate, and animals and such can accumulate underneath the unit to make it very unsanitary.

With respect to my report, Ralph and I were actually going to sit down and go through the entire mobile home park lot by lot by lot and put together a report. But mine is generally submit all the proper building and zoning applications for permits for any renovation work being completed, repair broken windows, boarded up window and, in fact, remove those units out of the park if they're not being occupied and get everything cleaned up from that perspective. Install and get the appropriate stairways and hand railings and get all the proper permits where necessary.

One of the other things I identified is that a number of the units don't have their numbers on any longer. That's a critical aspect for the Fire Department or Police or anyone trying to locate the units. The numbers go on, the numbers go off but in most cases there weren't any numbers.

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Another was to repair the severely damaged private roadway especially on the west side, replace the asphalt or fill the potholes and resurface. Another item I have is pick up all the garbage and litter around the units, get the garbage in the dumpsters, get the dumpsters picked up, get all the private driveways open and accessible.

And then one of the other things that we noticed twice is that they're working without permits but I mean they're operating kind of a business because they're working on vehicles in the park which is actually causing a blockage, so you can't even get to some of the units because there are so many cars and others being worked on. So they need to kind of regulate that a little bit. With respect to Ralph's report, I assume his says something very similar to mine with respect to getting all the appropriate permits, remove the units out there that are basically abandoned and deteriorated and such, and bring basically the park up to code so that it's clean and it's safe for the tenants who live there.

We did have a meeting last week on Friday with G. John Ruffolo, one of the owners of the park, and we kind of went through all of the photos because we actually had about 40 photos. We talked about each of the units in the areas and the things that need to be done. And even from the time we talked to him initially and the reports went out, they've been doing a lot of cleanup work and they've been doing repair work, and they've been going and talking to each of the unit owners to let them know what's allowed and what's not allowed. I believe that he also put some ads in the paper to dismantle and to remove at least two of the units if not three. And I know that Trustee Serpe can probably address that a little further because he was out at the park again today where we talked about the fact that this park needs to be brought up to code, and it really needs to be in much more livable condition not only for the residents that live there, but they have to be respectful of the other residents and those that live in that area so that it looks like a more attractive place in Pleasant Prairie.

Michael Serpe:

I was at the park today with G. John Ruffolo and it was an experience. I have to tell you it was cleaned up. There was no garbage lying around. Yet, I've got to tell you before I go any further I mean this is poverty. This is poverty living at its best. These people haven't got two nickels to rub together I don't think, and they're living and probably doing the best they can. But, as far as the photographs go with the garbage that has been taken care of. I did not see any vehicles being worked on today. I had an opportunity to talk to at least three residents that were curious as to why I was out there. I told them very frankly it's up to you people to keep this park in good order because the Village is going to be putting a lot pressure on the owners for it to get done. And they understood.

We talked about the two trailers that are to be removed for scrap because they're not inhabitable. And my personal opinion is I think they should be dismantled and scrapped on site and then hauled away. I don't want to see those things being dragged down any highway in the State of Wisconsin, especially the Village of Pleasant Prairie, because I don't think they'd make it. They've been there for 30 and 40 years. I don't think they'll move very easily if they could. And I asked John how long it took in one of his other trailers in another park to be dismantled and

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scrapped, he said about a week. I talked to Jean, she thought that was acceptable if they took a week on each trailer to dismantle scrap and get rid of them.

So I agree with Jane. I think it's come to our attention. Now, this is the first time this has come to this much detail of attention. I think the owners now realize that. I think the owners are now getting that message to the tenants, and they're going to have to understand it, and it's up to us to monitor that. And any time we see deficiencies I think we have to bring it to their attention. So I would be in favor of granting the license through June 30th. In talking to G. John Friday in a meeting we had, he said that would be acceptable for them to get certain things done and in place, and we'll work together with him to achieve that goal.

Jean Werbie-Harris:

I also wanted to mention that G. John agreed to meet with me every first week of the month for us to go through our listing and to drive through or walk through the park to see what the state of conditions were at that time. And what I indicated is that if anything new pops up it's going to be added to the list. But otherwise we would continue to work off the list to make sure that the units look better, they don't look like they're, you know, it doesn't look like a war zone, the windows aren't broken, the stairs are where they're supposed to be, the garbage is picked up, the numbers are on the units, that all of the units are accessible by emergency services and so on and so forth.

So Ralph Nichols and I are going to actually put together that list this week. We took notes from our meeting on Friday, and from what Trustee has indicated and what I indicated to John is that every Thursday or Friday of the first week of every month we're going to go through and see how things are coming with respect to things.

Michael Serpe:

Just one more statement and question if I could. The numbers were on the units that I saw today. I didn't see any units without numbers. And, Brian, if I could ask you a question, many calls for service at the park?

Chief Wagner:

Chief Brian Wagner, 8600 Green Bay Road. Could you repeat your question?

Michael Serpe:

Calls for service, do we get many at Scotty's?

Chief Wagner:

You know, we do. I mean we're there pretty frequently.

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Michael Serpe:

Types of calls do you recall?

Chief Wagner:

A lot of domestic-type disturbances occur there, thefts, things of that nature.

Michael Serpe:

Not an overwhelming amount of calls?

Chief Wagner:

Well, you know, I guess before I start making those kinds of characterizations maybe –

Michael Serpe:

You'd have to look?

Chief Wagner:

Yeah.

Michael Serpe:

I understand. But nothing stands out?

Chief Wagner:

Well, you know, it's a mobile home court, and we see as compared to, you know, similar type facilities in the Village it's probably one of the higher volumes.

Michael Serpe:

Which goes hand-in-hand with maybe the poverty level of the park.

Chief Wagner:

Very possible.

Michael Serpe:

Okay. I didn't mean to put on the spot, Brian, but thanks.

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Chief Wagner:

Okay.

John Steinbrink:

Is that a motion, Mike?

Michael Serpe:

I did make a motion to grant –

John Steinbrink:

Alright, before I get a second, Vince, did you have something you wanted to say? Name and address.

Vince Ruffolo:

Vince Ruffolo, 3805 13th Place in Kenosha, Wisconsin. First of all, all of you ladies and gentlemen I want to thank you for bringing it to my attention. I echo Mr. Serpe's comments that he made. There's a segment of population that needs to live in certain areas. It doesn't mean that they need to live in a slum area, but on the other hand they do the best they can. Now, if you look at their conditions and what they do, I think the (inaudible) in the economy affects them just like it has hit many. I think Mr. Ruffolo he consistently monitors and talks to them and discusses what needs to be done from that front. I think your presence makes a big difference just as well, because I think the people will understand this is serious business. On the other note is that people that live in those mobile home parks they will do as much as they can. They're obviously, I'm not so sure that they want to live in those conditions, but on the other hand (inaudible) so I think that there's ways to curtail that, and I think some of it's been addressed. And from our standpoint we'll take a look at it just as well.

Now, for the future of the mobile home park there and so on the park has been there for many, many years as many of you know. And it's something that I discussed with some of you with regard to what at least the plans are to looking into moving that out so it will not be an eyesore and an area where obviously it's Highway 50 and we'd like to have it nicely developed and so on. So I'm working from that front. That's a front that I'm looking at. I've been looking for some time, and I'll keep you informed on what direction we're going to go.

But I can say this, this is not our character to go and have those types of issues, but it also is as a regulation and a law in place that you can only do so much in the privacy of the home of individuals because that's what it's going to come down to. We have no right to go and inspect inside the trailers. I think you have more of a right to than probably we do. They own their own walls, and we own the land. So we'll lease the land and they pay their own water, and they pay their own utilities and so on. We don't have any right to go in and do. I know that there have been issues in regard to people remodeling inside their walls. And obviously I'm not so sure we

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have a right to go in and knock on the door and say let me see what you're doing. If we see it, of course, it's something we bring to their attention. We will monitor it.

As far as the potholes I think every spring Mr. Ruffolo has been taking care of those every spring and will continue to do so, make sure it doesn't happen. And the idea of going there maybe once a month I think it's a good idea. I think maybe your presence will make a difference. But it's a park that's been – it's an old park, it's been there for a long time. And there's a segment of population that we're dealing with unfortunately. But obviously they're doing the best they can just as well. I'm a true believer cleaning is not a rich or a poverty thing. Cleaning is just a characteristic thing that comes to it, and people have to maintain their own clean environment. We can make sure that needs to happen. So I want to thank you. I don't have other comments unless anyone has a question.

Steve Kumorkiewicz:

I used to get calls from the (inaudible) phone number for (inaudible). I called one time and he was in Florida, because there were complaints over there not just for the trash and the weeds growing in the area but also (inaudible) junk in the property (inaudible) –

John Steinbrink:

Okay, we're not talking about 73rd Street.

Steve Kumorkiewicz:

No, no, I'm talking about (inaudible). I'm talking about the property where junk was thrown over the fence, right next to the fence. I saw that.

Vince Ruffolo:

If you look at the park it's got a wooden fence all around. Now, there's a property on the other side of the fence that presently I own. The property on the other side of the fence is basically a property of vacant land, vacant lot and so on. Are you saying the property that basically rubbish is being thrown over the fence going north or what direction is it going?

Steve Kumorkiewicz:

Directly north next to the fence. I saw it.

Vince Ruffolo:

And what kind of rubbish was that/

Steve Kumorkiewicz:

Junk (inaudible) cans and empty boxes and garbage and whatever thrown over the fence.

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Vince Ruffolo:

Over the fence in the empty land?

Steve Kumorkiewicz:

That's right.

Vince Ruffolo:

Okay, well, that's news to me. I was not aware of that.

Steve Kumorkiewicz:

(Inaudible)

Vince Ruffolo:

Well, obviously, it's not something we tolerate. If that happens then of course we need to look at that if that's the case. It needs to be addressed. I'm not disputing it. Why is it thrown over the fence? I don't understand because it's not going to go anywhere, it's sitting there and so on. As far as the lot next door we get the grass or whatever cut as we see fit during the course of the year. Obviously, again, I guess it's just a sign of the times more than anything else. And also it's critically important to recognize the type of segment of the population we're dealing with just as well. But, like I said before, it's not so much cleaning that has to do with rich or poor, it doesn't have to do wealth or non wealth, but it's got to do with the characteristic of individuals. And it's something that I believe we definitely can go ahead and – it's continuously monitoring I say more than anything else.

This thing here, you're doing your job and I appreciate that. But on the other hand also, too, there's a fine line just as well, because you've got to remember the clientele we're dealing with just as well. Yeah, a monitoring system needs to be done, but just as well it's almost like a training. Hopefully we can get them to comply with the rules that are set forth. But I echo your sentiment there. It's not an issue there.

Michael Serpe:

Just one other comment. There was talk about an office in the house. You're going to work with the tenant in the house to see if she'll take on the responsibility of running the office so we have a contact point for the park. I don't know if we talked about that and Jean's mentioned. But that also will be addressed.

Monica Yuhas:

Vince, I have a couple questions. How many lots are in the park?

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Vince Ruffolo:

I believe 20 some. Maybe 28 or 29. I'm not sure. Jean you would have a better idea.

Jean Werbie-Harris:

I'm looking at Ralph because I don't have the map in front of me? 22?

(Inaudible)

Vince Ruffolo:

Less than 30 there are, I know that.

Jean Werbie-Harris:

About 30?

Vince Ruffolo:

Less than 30.

Monica Yuhas:

And how many of them are –

Vince Ruffolo:

Empty?

Monica Yuhas:

Yes.

Vince Ruffolo:

I couldn't tell you. I don't know. Jean, do you have an idea on that how many are empty?

Jane Romanowski:

There are 32 units in the park.

Jean Werbie-Harris:

32 units. I would say probably maybe 6 empty.

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Michael Serpe:

Two are going to be hauled away.

Jean Werbie-Harris:

Right, two of the units.

Monica Yuhas:

And then just an average, I don't want a specific number, but lot rent what do you charge for rent for a lot?

Vince Ruffolo:

I believe it's about \$120 a month roughly.

Jean Werbie-Harris:

But I think you have a couple at about \$275. I think that's what John had mentioned.

Monica Yuhas:

And do the tenants own these mobile homes?

Vince Ruffolo:

Yes.

Monica Yuhas:

They do own them and they just pay you rent?

Vince Ruffolo:

Correct.

Monica Yuhas:

None of them lease or rent?

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Vince Ruffolo:

No. The majority of the – well, all of them, they're trailers that you have a pad, you advertise, they come in and say I want to bring my trailer here. They bring their own, and they just lease the pad. The only thing you have to supply to them is the water and utilities that are available.

Monica Yuhas:

Thank you.

Vince Ruffolo:

You're welcome.

John Steinbrink:

Vince, once there's like one empty lot in there now and if two more are removed there would be three empty lots. Any plans to bring more trailers in to fill those?

Vince Ruffolo:

John, your question, if it was up to me and so on I'd like to see there a totally different type of business, because trailer parks are a business just as well for an owner.

John Steinbrink:

You've had that discussion with the Village. That's why I just wanted to make sure –

Vince Ruffolo:

Correct. I'm hoping that this conversation can take place at a later date when I can bring you guys a proposal on what we need to put there, at least what we're proposing to look at that. I'm in discussion with some folks in regard to some commercial there in the whole area there.

Clyde Allen:

I second the motion.

John Steinbrink:

Second by Clyde. Thank you, Vince.

Vince Ruffolo:

Thank you. Pleasure.

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John Steinbrink:

Jean, the other question, the mailing address that was an issue we always had getting the mail to G. John always. He's got unreliable people he has the mail taken to. Have we settled that now so we have a good mailing address?

Jane Romanowski:

G. John gave us a different mailing address.

John Steinbrink:

That's where a lot of miscommunication comes is when we got through this and he doesn't get the notice in a timely fashion a lot of times.

Jean Werbie-Harris:

And we also mentioned, or John mentioned to us on Friday that he would not be bringing any new units in, and they likely wouldn't meet the setbacks or any of the criteria today. So it was not their intent according to John that they were going to be bringing in any new units or any used units in at the park that they would just continue with the way they have. And if units become destroyed and personal property value is decreasing and they're not re-rented immediately and they're of such a condition that they would be salvaged. And we'll put all that in our staff report.

John Steinbrink:

And I think we're working with the situation with the removal, setting a value on them so that he can go through the process –

Jean Werbie-Harris:

We've done that.

John Steinbrink:

– we've done that. Yup, we did that today and we contacted him today.

Monica Yuhas:

And, Jean, is six months enough time to get this laundry list done?

Michael Serpe:

John agreed to that.

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Jean Werbie-Harris:

It should be more than enough time.

Steve Kumorkiewicz:

(Inaudible)

Jean Werbie-Harris:

That's why the monthly meetings and drive thru's of the park might be very helpful. Because if new issues or items pop up throughout the next six months, we can get on top of them right away.

John Steinbrink:

Alright, any more comments? We have a motion and a second. If there's no further discussion I'll call the question.

SERPE MOVED TO GRANT A MOBILE HOME LICENSE TO SCOTTY'S MOBILE HOME PARK, 5310 75TH STREET, FOR THE TERM JANUARY 1, 2012 THROUGH JUNE 30, 2012 WITH ALL ZONING AND BUILDING CODE AND PERMIT VIOLATIONS TO BE CORRECTED BEFORE ANY EXTENSION OF THE LICENSE TERM WILL BE CONSIDERED BY THE VILLAGE BOARD; SECONDED BY ALLEN; MOTION CARRIED 5-0.

John Steinbrink:

John has got his homework now. Thank you, Vince.

4. PUBLIC HEARING

- A. Proposed 2012 Solid Waste Utility, Clean Water Utility and Fleet Internal Service Fund budgets.**
- 1) Citizen Comments.**
 - 2) Closing of Budget Hearing.**
 - 3) Board of Trustee Comments.**
 - 4) Resolution #11-47 - Resolution relating to adoption of 2012 Solid Waste Utility Budget.**
 - 5) Resolution #11-48 - Resolution relating to adoption of 2012 Clean Water Utility Budget.**
 - 6) Resolution #11-49 - Resolution relating to adoption of 2012 Fleet Internal Service Fund Budget.**

Kathy Goessl:

Mr. President, I have three budgets that were completed by John Steinbrink, Jr. They're the solid waste budget first. There's only one program that we're recommending – well, you actually had

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two new programs or one new program and one program reduction. And we're recommending the new program to increase part-time starting salary from \$8.15 to \$8.50 an hour. The reason for this request is to keep competitive with local starting wages to attract and keep his seasonal employees.

And then the one program reduction that's in this budget is to have a self-serve compost site on Saturday which would save almost \$6,000. Currently the compost site is staffed on Saturday with a part-time position and a full-time position to assist resident with loading their compost. This program would eliminate the full-time position and initiate self-serve compost for residents requiring residents to load their own wood chips and compost. And we are not recommending that this program reduction be taken.

So on the overhead right now is the actual proposed 2012 budget in summary format. It compares it to the 2011 approved budget. You're looking at revenue going up by over \$56,000, and the majority of that increase is due to the recycling rebate that we received from our recycling contractor. The market is really good at this point, and we anticipate it to stay similar to that to have an increase of about \$40,000 in the recycling rebate. There is no rate increase proposed for any of these budgets, so there's no rate increase so basically the rest of it is just general increases with more residents and more revenue sources.

Operating expenses is going down slightly overall by a little over \$9,000. Depreciation we kept it at the same level. This is basically mainly buildings and some recycling containers. Office expense is going by a little over \$8,000. The reason for this increasing is due to contractual printing. In the past we did not budget for printing in the calendar or the newsletter, but over the last couple years this budget has put a number of pages in the calendar as well as on a regular basis advertised or put information into our newsletter. So we increased the budget to reflect what has actually occurred this year in the previous year.

Compost site expense basically the decrease here is due to fleet internal service charges. We over budgeted in 2011 for this and, therefore, reduced it back to what was historical for this year as well as previous years. Administrative expenses are down, and this is mainly due to the employees contributing their portion to WRS, Wisconsin Retirement System. And then leaf collection expense is down. There are less employees and less equipment budgeted based on historical trends. So this number reflects – the 2012 budget reflects what has happened in 2009, 2010 and 2011 for that area.

Recycling is up a little bit, and that's due to the tipping fee being higher in this area by \$5,000, which the tipping fee includes both the tipping part as well as the trucking or hauling part for that. Garbage is up, again, because of the tipping fee. That's one of our largest expenses in this area. It's higher by \$30,000. For 2012 we are working on a program to encourage recycling in 2012. \$250,000 of this garbage budget is for tipping, so the more we can get out of the landfill and redirect toward the recycling area the better off we'll be for this budget overall.

The new program request, as I mentioned before, is to increase part-time starting salaries or wages to keep competitive with the local market. So overall this budget is swinging from a net operating loss of \$26,000 budgeted last year to a net operating gain of \$38,000. If you bring

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forward the net operating gain and look at the non-operating expenses of this budget, the non-operating part is the recycling grant which has been reduced by the State from \$70,000 down to \$46,000. This has occurred in both 2011 and is proposed for 2012.

Interest income is up a little bit, and we do have a little bit more money and a lot of late penalties and stuff that also reflect into this area. Premium amortization is level from the previous year. We're almost done paying off this debt. In another two years this utility will be debt free. Non-operating expenses include interest expense which is down. As the debt is going down interest expense goes down for this utility. And then amortization of expense is also equal to last year and will last for another couple more years. So overall we're looking at a better year for the 2012 budget for recycling, well, sanitary utility with an increase of almost \$50,000.

Cash flow-wise, this utility has modest cash and will be increasing this year by a little less than \$70,000 up to \$294,000 of cash estimated to end the year with. And for next year we'll increase another \$65,000 to \$360,000, so we do have good reserves in this fund to handle any increase in tipping fees or that type of expense that is uncertain, or another reduction in the recycling grant, or if the recycling market goes down. So we do have enough reserves here to compensate for that without raising rates in the future. So that was the sanitary budget.

The next budget I'm bringing forward here is clean water utility. The clean water utility did not have any new programs or program reduction requests. Except there is one that doesn't affect our operating but does affect our capital area. So this is the review, again, of our operating budget comparing 2011 budget to 2012 proposed. Overall our revenue is increasing about \$28,000, and this is due to growth and change, but no rate increases are proposed for this budget. Operating expenses are going up overall about 2.8 percent which is a little over \$33,000, which is pretty similar to our change in revenue.

Personnel-wise is pretty even with last year's budget. Contractual services - the biggest expense here being engineering fees, consultants and facility lease totaling almost over (inaudible) or 81 percent of this budget section. The biggest increase of that \$9,000 is due to engineering fees, which are engineering fees contracted for miscellaneous stormwater evaluations that cannot be done in-house. Supplies and maintenance the biggest expense here is the cost for culverts which is \$10,000 same as last year's budget. And also here the one big increase is increased in the use of gravel and crushed stone in this utility of a \$7,000 increase.

You can see the next three expenses are pretty level with previous year's budget. And then we have the fleet internal service fund which increased mainly due to in the past we weren't picking up service orders, they were unaccounted for in the 2011 budget and we budgeted for it. We did account for them this year and they are being charged to the utility actually, but for 2012 when we compare the two budgets that increase the 2012 budget. So overall for operating-wise this utility actually loses money operating, not loses money but actually recognizes an operating loss very similar to the year before.

But then you go to the non-operating section and we have some interest income, and this is mainly down due to the change in special assessment interest anticipated. And for grants we're looking at two grants, one that's continuing from 2011 which is the south Kenosha grant, and that

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accounts for a little over \$349,000, and the Chateau Eau Plaines storm sewer which we're looking at a grant of \$720,000 where we currently have budgeted matching 87 percent or the majority of the capital that we have budgeted for.

As for cash, our cash is being built up for future replacements of infrastructure. The utility has millions of dollars of infrastructure in the ground, and we need to build a reserve for future replacement of that so in the future we don't have to borrow to replace or maintain that. So this year we're gaining \$800,000, and next year a little bit less, \$278,000 and our proposed a little over \$1.7 million, almost \$1.8 million in this utility, which compared to our actual infrastructure is not a very big percent. But at least it's a start to us growing the cash balance.

This is a list of capital projects being proposed. Chateau Eau Plaines storm at \$854,800. This includes land acquisition, a drainage swale and start of the conveyance system, maintenance and culvert's sump lines. The majority is funded by a grant. The remaining is split 50/50 between the Village and the property owners. South Kenosha storm project is a continuation of our 2011 project which we've started. And the majority of this is also funded by grant dollars. The utility has a little bit of expense \$138,000 which is the remaining amount that we're expecting to spend on this project that's over the grant amount. And then we have south Kenosha ditching which is installing culverts and ditches to the newly constructed storm sewers in south Kenosha. That's 100 percent utility financed. And then we have the 29th Avenue storm sewer which is planning and design for improvements to 29th Avenue north of Springbrook Road for \$40,000. So the majority of this is grant funded, and there are some special assessments involved in this capital budget also.

The only program reduction that's being recommended is to be eliminated is the Village's contribution to storm projects. Currently the Village pays 50 percent of storm projects that benefit an area. And we're recommending the Village pays zero percent of the storm projects or anything in between to help us reduce the percent the Village is actually spending towards storm projects so we can take the cash that we collect from this utility and put it into cash reserves for future replacements of storm infrastructures that cannot be special assessed.

Mike Pollocoff:

I think the equity discussion on this is back 25 years ago when we used to pay 75 percent of the project and the residents paid 25 percent only because if the residents didn't have some skin in the game we'd be putting curb and gutter and storm water all over the place. If you fast forward 25 years, for at least 21 of those years every subdivision and the corporate park have all been paying for their own storm sewers regardless of the size and paying for their own retention basins, they've been paying for their own curb and gutters. And what's happened now when you look at the value of the Village now we have residents who are in unimproved areas for storm water, they don't have – when their subdivision was built out or platted out there wasn't any storm water improvements installed because that's how it was done back when it was done, and the residents who paid 100 percent for all the storm water projects or improvements they have are paying as part of their storm water fee for the residents who didn't have to pay for anything. So in essence we're getting them twice.

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So there's a matter of equity in it and there's also just a matter of cash. The amount of money, even though we do have a couple grants in here, we probably had less than \$2 million in grants over the last 20 years to take care of problems. Basically the grants we're getting only apply when there is wholesale damage and the area is distressed from a socioeconomic standpoint. So we won't achieve the goal we really want to achieve which is to be able to have that money to replace the older systems we have. We keep using that money to subsidize the charges for people who never had to pay for a stormwater improvement in the first point. The longer we stay in that the harder it is going to be to build up that reserve. And unfair it is for people who had to pay for the whole thing.

John Steinbrink:

Alright. This being a public hearing I will now open it up to citizen comments.

Kathy Goessl:

We have one more budget, fleet internal service.

John Steinbrink:

Sorry, okay.

Kathy Goessl:

The final budget is fleet internal service which is the fund that houses the majority of our equipment and vehicles for the public works, utilities and engineering departments. They maintain the vehicles and charge out an hourly rate to be able to maintain them as well as replace them. This is the comparison similar to the last two budgets I presented comparing the 2011 budget to the 2012 proposed. Revenue is up some due to us in the past not charging out service orders when we did the 2011 budget. Now we will be, and that's the main difference there.

Expense-wise it's up a little bit mainly due to supplies and maintenance. Expense for personnel there's more hours being allocated to the fleet internal service fund based on historical levels of use of employees and wages. Supplies and contractual services are pretty even. Supplies and maintenance the main increase here is in minor equipment of \$21,000. Depreciation is budgeted similar to previous years, and fleet internal service fund is budgeted based on 2011 actuals and is pretty level with previous years also. The new program here for \$35,000 is two separate projects. One is a major contractual repair of our loader for \$15,000. And the second one is to paint three snowplows for \$20,000 for a total new program request of \$35,000 which is being recommended to maintain our equipment.

Then operating-wise we have the interest income which is pretty level, up a little bit, but it's very similar and very small in comparison. Gains and losses in equipment actually went down. And this is all dependent on what kind of equipment we have to trade or sell. This 2011 we had a lot of things that we traded and sold at good prices, and so our budget was higher this year than we anticipate for 2012. Most of the stuff is replacing old, and we compare what we think we can get

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in the market for that. And this year the stuff that we're looking at trading will not get us as much money as it's older so that's why that area is down. So overall looking at gain in this utility of a little less than \$200,000, a little bit different than the year before but not much.

Beginning cash balance here is a little less than \$600,000. We're looking at gaining a little over \$200,000. That's based on operating expenses and also what we are expending on capital ending a little less than \$800,000. For next year we're not gaining much more. We are gaining some to help us with future replacements that we are anticipating.

Here's a list of the equipment that's being asked for for this year to replace. Most of them are replacements. There's maybe one new thing in here but most of it is replacements. The first one for \$25,000 is to replace an old one ton with a used contractor single axle dump for \$25,000. The second one, again, is a replacement of a tandem axle dump which is vehicle 6931 for a cost of \$108,000; replace our utility service truck with crane for \$40,000; replace two public works pickup trucks for \$50,000; replace a 1998 utility van which is vehicle number 7983 with a utility body truck; replace a 1996 garbage truck 6963 for \$100,000; purchase a used forklift for \$6,000; and replace one 2006 zero turn mower vehicle 8064 for a cost of \$14,000. In terms of vehicle we have a total of \$445,000 of vehicle replacements.

This last slide here shows what capital equipment attachments and tools that are being recommended. The first one there for \$10,000 is a new rough mower for a skid steer to mow actually wet areas, and the \$30,000 is replacing three salt boxes for the small plow trucks. Minor equipment, attachments which are items under \$5,000 per item which includes pickup plow assemblies, excavator buckets, trailers and loaders. And then the two replacements are like chain saws, generators, leaf blowers, push mowers for a total of \$36,000. And then pumps, this is five pumps and hoses for these pumps for \$14,000. Total of minor capital equipment of \$97,400. So this is our fleet internal service budget, so we have three budgets that we're recommending with no rate increase in any of them, and with maintaining expenses pretty similar to what we had for 2011.

Michael Serpe:

Kathy, on the first slide on the internal service fund, the first slide, I think the personnel one, the \$227,000, second line, what is that? I don't understand that. Explain that line.

Kathy Goessl:

That's personnel. That's our employees, it's a full-time mechanic, a part-time mechanic and hours allocated of highway department work for people that are actually working on vehicles instead of doing like snow plowing or patching, that kind of thing.

Michael Serpe:

The hours that are put into this?

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Kathy Goessl:

Yes. So based on our work order system, if our highway department personnel or utility people are working on equipment they're charged to this budget instead of being charged to their own utility or highway department. But the chunk of this is our full-time mechanic and our part-time mechanic.

Michael Serpe:

Okay, thank you.

John Steinbrink:

Other comments or questions? If not, now we'll open the public hearing. Anybody wishing to speak on these budgets? Hearing none, I'll close the public hearing and open it up to Board comments. Clyde?

Clyde Allen:

Thank you, Mr. President. Kathy, nice presentation. My first comment is Kathy, Mike, the decision to reduce the Village contribution to lower it from 50 percent to zero percent very wise thing to do. You know I'm a big advocate to try to make sure we got reserve to cover all purchases in the future for anything that would be covered under depreciation. You know they should be equal and we're striving to that, and I think that's a real wise choice to do that. So that was a real positive thing and thank you. Kathy, is fleet still working as you wanted it to work as it was originally intended?

Kathy Goessl:

Yes, it's working really well in terms of centralizing all their equipment. And when different departments or utilities use it it's charged to them instead of being utilities using a highway vehicle it's basically that vehicle is not highways it's with the fleet internal service anybody can use it so we don't duplicate stuff for different utilities. So I think it's working really well in terms of tracking our vehicles and charging our vehicles out and also building the reserve to be able to replace our vehicles on a timely basis.

Clyde Allen:

Okay, thank you. Last question was, John, Jr., sorry about this, this will be an easy one I think. Under the garbage collection - that went up \$22,000, but the tipping fees went up \$30,000 which means somehow you saved \$8,000. Did you do something to make that change, or is that just to get in -

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John Steinbrink, Jr.:

I think it's just everything balanced out as a whole. There's multiple pages of line items, and every year we try to be as cost effective as we can with each of those line items. Just like cutting costs in each of those line items and working as effectively as we can we were able to bring that number down just a little bit.

Clyde Allen:

Okay, thank you.

Mike Pollocoff:

We received this last year new trucks so that helps your maintenance costs. By the time we replace a truck it's pretty tired. So that's probably a big one.

Clyde Allen:

Thank you.

John Steinbrink:

Any further comments?

Michael Serpe:

I move approval of Resolution 11-47.

Steve Kumorkiewicz:

Second.

John Steinbrink:

We need a roll call vote on these?

Jane Romanowski:

No.

John Steinbrink:

Motion by Mike, second by Steve for adoption of 11-47. Any further discussion on this

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SERPE MOVED TO ADOPT RESOLUTION #11-47 – RESOLUTION RELATING TO ADOPTION OF THE 2012 SOLID WASTE UTILITY BUDGET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

Now we move to Resolution 11-48.

Monica Yuhas:

Motion to approve Resolution 11-48.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve for adoption and second of Resolution 11-48. Any discussion?

YUHAS MOVED TO ADOPT RESOLUTION #11-48 – RESOLUTION RELATING TO ADOPTION OF THE 2012 CLEAN WATER UTILITY BUDGET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

That brings us to 11-49.

Clyde Allen:

I'll move 11-49.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde for adoption of Resolution 11-49, second by Steve. Any discussion?

ALLEN MOVED TO ADOPT RESOLUTION #11-49 – RESOLUTION RELATING TO ADOPTION OF THE 2012 FLEET INTERNAL SERVICE FUND BUDGET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

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John Steinbrink:

And I, too, want to thank everybody for their work on this. When it's presented in that form it makes it easy for us. I think everybody understands what it is and where the money's going and how we're saving money. It's a process that is working out well.

Monica Yuhas:

And I would just like to add, John, good job on all three budgets. You really do a fantastic job with what you have. And being out there once or twice a year I get to see the equipment and I understand what's going on. The guys do a great job and the residents are always happy. So keep doing what you're doing because it's working. Thank you.

John Steinbrink, Jr.:

Thank you.

John Steinbrink:

I think we're kind of thankful that it hasn't snowed much this year. Some of the snow plow guys are pretty much feeling the opposite right now. It's been a nice winter so far. The roads have been good, and our guys got out there with that snow on Saturday to keep ahead of it and keep it melted there. It didn't turn out like mother nature had promised.

B. Consider Resolution #11-43 to change the official addresses of the properties located at 12226 Lakeshore Drive to 105 122nd Street and 108 122nd Street to 104 122nd Street as a result of the addresses being out of sequence.

Jean Werbie-Harris:

Mr. President and members of the Board, it's been brought to the Village's attention that the address of an existing property at 12226 Lakeshore Drive in Chiwaukee Subdivision owned by William P. and Carter O'Brien further identified as 93-4-123-323-0350 does not front on Lakeshore Drive. And since Lakeshore Drive to the east of this house was washed away a number of years ago, his driveway really has access to 122nd Street. As you can see in the slide, their property is located right here adjacent to Lake Michigan, and then this driveway going all the way north to 122nd Street and then accessing 1st Court they actually have a Lakeshore Drive access. So that is one of the addresses that we were looking to change. Specifically we're trying to make a modification to 105 122nd Street.

And then there's a second address in that area at 108 122nd Street in Chiwaukee Subdivision. This one is owned by Joel Heller and Teresa Clewell, and it's further identified as Tax Parcel Number 93-4-123-322-0150. That particular address does not fall in the property address sequencing in order of the properties that are along 122nd Street east of 1st Court. These addresses could create problems for emergency response personnel, deliveries and other persons trying to locate the properties. Therefore, the Village Board had initiated a resolution on November 21st of

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this year to change the official addresses of these properties. So we have a public hearing this evening to discuss this matter and the potential change of these addresses.

Late this afternoon I received a call from Carter O'Brien which is the property that's adjacent to Lakeshore Drive, the first one that I mentioned, and he indicated that he doesn't want to see his address changed. It's been that for a number of years, a lot of years, and it's not his fault that Lakeshore Drive basically at that location went into Lake Michigan, and he does not want to see his address changed. He said he might be able to be here tonight but I don't see him, and he has requested that this item be tabled until he has an opportunity to present a letter or something to the Board to convince us that the address should not be changed.

In the interim I spoke with the Police Chief and sent him the information, and I'm not sure if Chief Wagner had a chance to get out to take a look at this property, but maybe we could hear some information from the Chief and see what he says, and then whether or not we want to continue the public hearing this evening or if he would like to mention some things and then continue it that would be up to the Board. Again, the staff is recommending because of having problems for emergency personnel, deliveries and others trying to locate these properties, it's problematic and it should be changed.

Chief Wagner:

Chief Brian Wagner. I did have an opportunity to go out and take a look at this property. It's clearly out of sequence. And, in fact, the property in question that property is not even visible from 122nd Street. I mean there's a driveway that runs to the south there, and unless you know that that property is back there, you'll never see it. So I would certainly encourage the Board to make this change. And I think that some sort of requirement should be placed on this property owner to put some sort of a marker or something at the end of that driveway, because I can see first responders going out there, my folks or even someone from the fire department or rescue squad having a really difficult time finding that address. The saying goes that time equals lives. So this to me seems like a fairly easy way to deal with maybe taking a problem that could happen and maybe fix it before it does.

John Steinbrink:

Chief, from a liability standpoint, I'm not asking you to be a lawyer, but would the Village assume liability here now that we know that it's difficult to find this property if somebody were to be injured and we couldn't get to them?

Chief Wagner:

I'm not an attorney, but it would seem that now that the Village is knowledgeable about this problem and the Village doesn't do anything to rectify it or to solve it, if there were to be a situation down the road where someone were to be injured or the house were to burn down or what have you, and here we knew about this inadequacy with respect to the address, it's hard to say. But it would seem to me potentially there would be something that would come back and could attach to the Village.

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John Steinbrink:

Fire usually gives the department a clue where to go, but the other situations are a little more challenging. Is it then the homeowner's responsibility to put some sort of marking, as you said, for that driveway to mark it or number it?

Chief Wagner:

That's something we're going to have to look at in terms of what the ordinances are today, but to be quite honest with you I'm not sure what the requirements are. But I really believe that something needs to be done there, because as I've indicated you go down 122nd Street it's just a driveway. It runs sort of on the east side of a house which is clearly visible right on 122nd Street. When you look at it, it almost looks like that driveway is part of that guy's property that it belongs to that house. And unless you look at an overhead or have some knowledge in the area it will be very difficult to find that house. As you can see by the diagram there it's quite a ways to the south of 122nd Street.

John Steinbrink:

Mike?

Michael Serpe:

I wouldn't want to be sitting at this Board trying to justify why the Police Department or the Fire Department couldn't get to an address because it was mismarked. And like John just said and Brian just said now that this has come to our attention I certainly don't want to be a part of leaving it because somebody doesn't like the term Lakeshore Drive off their address. I'm going to support this resolution and have that address changed. It's a matter of public safety, and to me that's paramount.

Jean Werbie-Harris:

The petitioner requested since he had called at such a last minute he had requested that this item be tabled and the opportunity to speak with the staff and the Police Chief and present his concerns to the Village Board. He was going to possibly send us an email or a letter and I was looking for that tonight, and I did not see him putting something in writing to us late this afternoon. So I would recommend that the matter be tabled until January 16th at which time that would afford us enough time for the Chief and I to meet with the property owner and to let him know what our recommendations were going to be.

John Steinbrink:

This was before the Planning Commission, correct?

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Jean Werbie-Harris:

It was, but the public hearing is now before the Village Board tonight.

John Steinbrink:

And how much notice was given to the property owner?

Jean Werbie-Harris:

I believe that –

John Steinbrink:

It would have been before the Planning Commission even.

Jean Werbie-Harris:

Yes, we would have sent out notices long before that, several weeks. It went to the Board on the 21st, but I'm not sure if he uses a P.O. Box to get his mail. I'm not really sure.

John Steinbrink:

Maybe the Coast Guard delivers it out there.

Jean Werbie-Harris:

But he called at 3:30 this afternoon.

Michael Serpe:

Why couldn't he make the meeting?

Jean Werbie-Harris:

I'm not sure. He spoke with my secretary Jan. He just said that he was not able to make the meeting tonight, he was opposed to the address change, and he wanted to be able to present his concerns to the Board.

Michael Serpe:

I can live with that maybe. But what's going to change between now and when we hear him? Is his house going to change location? I don't think so.

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Jean Werbie-Harris:

I don't know, but one thing I can tell you is I just learned right before the meeting is that the properties right here just to the west of his house he owns those. I mean he'd still have to change his address maybe to 1st Court, but his house is right here, and if he didn't have a driveway going through easements right here he could have it go directly through his own property right here, maybe even through an easement if he put another house here, but then he'd had a 1st Court address as opposed to 122nd. I don't know if that has any bearing on this, but I just happened to notice that.

John Steinbrink:

As long as it's accessible without wetlands I guess.

Jean Werbie-Harris:

Right, but in the resolution it specifically says that we're changing it from this address to this address, and I don't want to give a 122nd Street address if it could be changed to 1st Court.

John Steinbrink:

Your recommendation is to table?

Jean Werbie-Harris:

Until a date certain which would be January 16th.

Clyde Allen:

Thank you. John, good comment. Mike, I echo your comments. You said the operative word, public safety. I can't imagine sitting up here and having to defend if something catastrophic happened defend the Village or this Village Board's actions as to why we didn't act and help get a catastrophic situation taken care of quicker.

Michael Serpe:

One other comment. We could probably table this, but this is the season when the police department becomes very busy. And this house being in the location it is could conceivably be a target for a criminal act. And if the police department can't find it quickly, they'll find it eventually, shame on us for not going along with the Chief's recommendation. A month from now who knows what could happen? It could happen tomorrow night. If this was never brought to our attention that's one thing. It's been brought to our attention now. I think we have to act on it.

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Monica Yuhas:

But Jean also brought to our attention that it might not be the correct address, correct, Jean?

Jean Werbie-Harris:

If they choose to put a driveway that extends from 1st Court through his other properties to this house, then we would need to assign a 1st Court address, not a 122nd Street address. In addition, typically we've given property owners six weeks to change their address, and the resolution is drafted February 1, 2012. So unless you want him to try to immediately contact everybody he knows – I mean it's a process to change your address. It's not something that happens overnight. It does take some time because your banks and your schools and your place of work and the government. I mean there's 9-1-1. I mean there are a number of places to change an address that you need to change.

John Steinbrink:

But at this point in time his only access is off of 122nd?

Jean Werbie-Harris:

That's correct.

John Steinbrink:

And until he takes the action to change that and get a wetland survey and everything else he's probably going to have to do –

Jean Werbie-Harris:

You mean on the vacant property off of 1st Court?

John Steinbrink:

To change his driveway. We don't even know if he wants to come out to 1st Court.

Jean Werbie-Harris:

No, I don't know that.

Mike Pollocoff:

My experience with this parcel is that it's not occupied other than maybe some summer weekends which is probably why he didn't get to the notice because it went to the address instead of (inaudible).

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Michael Serpe:

I'm not going to support tabling it.

Clyde Allen:

I agree, I think we should act.

John Steinbrink:

Okay, we can change it to this, and if he wants to change it he's got the right to change it again if he wants to put a driveway out to 1st Court. But the option of any other thing out to 122nd there is no other option for that. So I agree with Trustee Serpe.

Michael Serpe:

I think the Fire Chief has something to say.

John Steinbrink:

Okay, this being a public hearing we could use your name and address for the record.

Chief McElmury:

Sure, Doug McElmury, Interim Chief Fire and Rescue, 8044 88th Avenue. One additional factor I think you need to consider in this is not only is it our Police Department and our Fire and Fescue Department, when we're out on other calls routinely our stations are staffed by other departments. So if we have Winthrop Harbor, Beach Park, Salem or somebody else in our station, we can teach our people and basically get it through to everyone that this is where the address is, but if you have another department from another municipality's ambulance or fire engine sitting in our station, you can't expect them to know this. So the idea of changing the address would be beneficial not only to us but any mutual aid we have coming in also.

John Steinbrink:

So if we make this change tonight, we approve it, how quickly does it get to your systems that the correct entrance to this would be on 122nd Street?

Chief McElmury:

That would be entered into the CAD system as soon as it got through the GIS department. So that could be entered pretty quickly.

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Jean Werbie-Harris:

No, our department sends out a letter to the property owner, and we send it out to about 15 or 20 others, and we do that within 2 to 5 days of the approval by the Board. And then it gets sent out, and then each department, 9-1-1, everyone makes the changes at that time, so a week to ten days.

Chief McElmury:

And that changes in the matter of a day.

Jean Werbie-Harris:

It can be.

John Steinbrink:

Alright, thank you, gentlemen.

Steve Kumorkiewicz:

I have a question for Jean. Jean, when you send a letter to them (inaudible) --

Jane Romanowski:

Steve, microphone.

Steve Kumorkiewicz:

I'm sorry. Jean, when you send a letter to them, do you have to specify also the property for identification, put a marker in front of the house close to the street?

Jean Werbie-Harris:

We do say that in the letter. Well, we tell them that it has to be adequately marked. The numerals need to be at least three inches high and visible from the street. Now, in this particular circumstance we will probably direct them to put something at the end of 122nd Street where their driveway is, because if they just put it at the end of where their house is sitting it's not going to do anybody any good.

Steve Kumorkiewicz:

It should be close to the street.

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Jean Werbie-Harris:

Right. So we would tell them that they need to install the appropriate markings so it's visible for emergency services and other personnel.

Steve Kumorkiewicz:

Okay, thank you.

Michael Serpe:

And one other thing. In the letter, we just want to make sure that he doesn't think we're the big bad wolf over here. This is entirely based on public safety. That's the decision I hope we make.

Steve Kumorkiewicz:

As the Fire Chief said, we have a lot of departments here covering our stations. So we have to make it easy for them, too.

John Steinbrink:

Okay, we don't have a motion to table at this time. Do we have a motion to adopt Resolution 11-43?

Michael Serpe:

I move to adopt Resolution 11-43.

Clyde Allen:

I'll second.

John Steinbrink:

I think we haven't gone through the public hearing yet have we, Jean?

Jean Werbie-Harris:

Is it closed?

John Steinbrink:

No, I don't think we opened it up.

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Clyde Allen:

You opened it up to Village Board comments.

Jane Romanowski:

There were no signups.

John Steinbrink:

There were no signups, that's correct. Did anybody want to speak on this item? Hearing none.

Jean Werbie-Harris:

I just wanted to make sure to clarify that we're talking about two different addresses, not just the one that we've had a lot of discussion on.

Michael Serpe:

The motion is for both.

John Steinbrink:

We're not splitting the baby here.

Jean Werbie-Harris:

Right.

John Steinbrink:

We had a motion by Mike, second by Clyde. Any further discussion?

SERPE MOVED TO ADOPT RESOLUTION #11-43 TO CHANGE THE OFFICIAL ADDRESSES OF THE PROPERTIES LOCATED AT 12226 LAKESHORE DRIVE TO 105 122ND STREET AND 108 122ND STREET TO 104 122ND STREET AS A RESULT OF THE ADDRESSES BEING OUT OF SEQUENCE; SECONDED BY ALLEN; MOTION CARRIED 5-0.

5. MINUTES OF MEETINGS - NOVEMBER 21 AND DECEMBER 5, 2011.

Monica Yuhas:

Motion to approve.

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Steve Kumorkiewicz:

Second.

John Steinbrink:

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

**YUHAS MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 21AND
DECEMBER 5, 2011 VILLAGE BOARD MEETINGS AS PRESENTED IN THEIR WRITTEN
FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

6. CITIZEN COMMENTS

Jane Romanowski:

No signups, Mr. President.

John Steinbrink:

Anybody wishing to speak under citizens' comments?

7. ADMINISTRATOR'S REPORT – None.

8. NEW BUSINESS

A. Receive Plan Commission recommendation and consider Ordinance Nos. #11-34 and #11-35 to amend Chapter 420, Article V of the Village Zoning Ordinance and Chapter 395 Article X of the Land Division and Development Control Ordinance related to fees.

Jean Werbie-Harris:

Mr. President and members of the Board, you have two resolutions or ordinances before you, 11-34 and 11-35. The first pertains to the Village zoning ordinance. The second to the land division and development control ordinance. And this relates to some fee modifications that we're looking at. With respect to the fee modifications for site and operational plans, the Village staff has done a pretty detailed evaluation of the various businesses that have started operation in the community in the last couple of years. And in order to encourage and to provide some assistance to some of the smaller businesses in the community, we have decided to separate out businesses that are less than 5,000 square feet and those that are more than 5,000 square feet as it relates to the site and operational plan review fees. And so we have decided to split them apart in that the initial application fees if they're less than 5,000 square feet would be \$225, and if they're more than 5,000 it would be \$825. So instead of just being a flat \$800 we've reduced them for the smaller businesses, and we've only raised them by \$25 for those business that are more than 5,000 square feet.

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Also, in accordance with our budget recommendations, we've modified some of the zoning and sign permit fees. And we've made some minor adjustments or increases in the new single family, two family multiple family. Permit fees for zoning we've increased each of those by \$25. We increased the new principle commercial structures from \$125 to \$200. We have reduced, again, tenant changes without alterations. Again, we're thinking smaller spaces or spaces within existing offices or other spaces we've reduced the zoning fees from \$85 down to \$40.

We've also made some adjustments with respect to signs, and we've reduced sign special exception permits from \$80 down to \$20 and not to exceed \$140 for application for all the signs on the property. We've also reduced free standing sign permits to try to assist the smaller business during these touch economic times. We've reduced those to \$35 with an additional application fee, but it's down from \$55 down to \$35, and then non freestanding signs we've reduced those from \$40 down to \$25. Wetland staking application fees are at \$550. And some of the other fees for new development went up by \$25. And I think that covers all of the zoning as well as the land division and development control permit fee increases or adjustments.

One other item we did add and I forgot to mention it, with respect to the application fee, when we're reviewing existing subdivisions that might be making the modifications or brand new subdivisions, if they have deed restriction, restrictive covenants, assignments to development agreements or other types of activities where we're reviewing documents for banks, attorneys or developments that have been reassigned, not only do they have to sign predevelopment agreements but we now have them pay for all the work and rewrite that we do with respect to deed restrictions, covenants and other elements of their initial subdivisions. So with that if there are any questions. The staff would recommend approval of Ordinances #11-34 and 11-35, again, to amend both the zoning ordinance and the land division and development control ordinance as it relates to fees.

Clyde Allen:

I'd like to make a motion to approve. Can they be bundled or do we do them individually? I'd like to make a motion to approve 11-34 and Ordinance 11-35.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike. Any further discussion on either of these ordinances?

**ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION
RECOMMENDATION AND ADOPT ORDINANCE NOS. #11-34 AND #11-35 TO AMEND
CHAPTER 420, ARTICLE V OF THE VILLAGE ZONING ORDINANCE AND CHAPTER 395
ARTICLE X OF THE LAND DIVISION AND DEVELOPMENT CONTROL ORDINANCE
RELATED TO FEES; SECONDED BY SERPE; MOTION CARRIED 5-0.**

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B. Receive Plan Commission recommendation and consider a Lot Line Adjustment between 9128 11th Avenue and 9136 11th Avenue.

John Steinbrink:

Those must be some big lots.

Jean Werbie-Harris:

Mr. President and members of the Board, the petitioners are requesting to adjust the lot lines between 9128 11th Avenue owned by David and Linda Monson, and 9136 11th Avenue owned by Donald and Roberta Monson. The proposed lot line adjustment is to adjust the common lot line by adding ten feet to the property at 9136 11th Avenue. The Village staff recommends approval. The properties are both zoned R-6, Urban Single Family Residential District. Lots need to have a minimum of 60 feet of road frontage and 6,000 square feet in lot area. And as you can see both the lots greatly exceed those numbers at 150 feet in width and 90 feet in width, and their areas greatly exceed the 6,000 minimum. The staff recommends that the owners consider recording a cross-access easement because there is a shared driveway between the properties. The existing buildings on the properties will remain conforming, and the proposed lot line adjustment will comply with the land division and development control ordinance as well as the Village zoning ordinance.

Michael Serpe:

Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A LOT LINE ADJUSTMENT BETWEEN 9128 11TH AVENUE AND 9136 11TH AVENUE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

C. Consider Resolution #11-44 authorizing the 2012 Small Building Redevelopment Grant Program in the Village.

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Jean Werbie-Harris:

Mr. President and members of the Board, as I alluded to earlier the staff has been evaluating its fees with respect to taking a look at smaller buildings and smaller projects in the Village. And what we decided to do was to specifically take a look at some of the projects in the Village where we have some existing vacant nonconforming buildings or vacant buildings where from an economic standpoint it would be beneficial to have these businesses open and operating and providing economic development for our community. And it's very frustrating I think for small businesses and small buildings when they're just starting up due to the number of fees and other things that they have to take care of in order to get their business open and operating.

So from a policy standpoint what we came up with was to put together a resolution or a policy statement from the Village Board, and it's a resolution authorizing the 2012 Small Building Redevelopment Grant Program. And what the grant program would be would be an incentive for entrepreneurs to redevelop small vacant buildings in the Village instead of having them sit vacant or become a target of vandalism, and to assist the owners of these buildings to help their businesses to be productive in the Village.

So in an effort to promote the redevelopment of these buildings that are approximately 5,000 square feet or less built prior to January 1, 1989, and if they're located in the business districts, the B-1 or B-2 Business Districts or an institutional district, because we have some businesses in the I-1 District as well, the Village Board would be authorizing the Community Development Director, myself, to approve a small building redevelopment grant. And some of the additional information that they would need to provide to us would be contained in a one-page very simple grant application.

Here are some of the criteria that they would need to meet. The building is located in a B-1, B-2 or I-1 Institutional District; the building was constructed before January 1, 1989; the building is 5,000 square feet or less; the building has been vacant for more than 12 consecutive months or vacant for less than 12 consecutive month but is vacant as a result of a business failing; the proposed new use is an allowed use within the underlying zoning district; the proposed redevelopment of the site required approval by the Plan Commission.

The grant if it would be awarded would be used to offset the fees. So what that means is that the initial applicant would have to pay the minimum \$225 as an application fee for site and operational plan, which is something we discussed earlier and which has been reduced from that \$800, and then the predevelopment fees that would accrue whether they're planning and zoning or engineering or other types of tracking of time predevelopment fees that they would be offset or provided a credit of up to \$2,500. So they wouldn't have to worry about those additional costs as they try to get their business open and operating and they get their occupancy permit from the Village.

Now, we've kind of put some parameters in here to make it a little bit more clear for the small building redevelopment grant program. That the Board would authorize the Community Development Director to accept applications to review and approve the grant applications for those meeting the requirements; two, that the grant would be used to offset up to \$2,500 in

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Village fees that would have been invoiced pursuant to the predevelopment agreement; three, if the amounts of the predevelopment agreement fees do not total \$2,500, the unused grant money would not be reimbursed to the property owner but it would be saved for another user; the grant would not be used to pay the required application fee or the building permit fees, building and zoning when we issue the permit; the grant does not waive Village ordinance requirements for the redevelopment of the building or the site.

And then one of the things since this has kind of been an issue and it's been a struggle for some of the businesses this year, what we'd like to do is we'd like to make it retroactive for at least three businesses that have opened up in the last six months where they accumulated over \$2,500 in predevelopment fees and offer this grant opportunity to those three businesses. And they include Sheridan Auto Body, Ayra's Liquor and Cigar and Safeway Auto. Again, they would all be eligible to apply for the grant. Again, the grant is not automatic, but if they meet the criteria and submit the application to me that we will review it in a timely manner. And anyone who has already been billed we will adjust their invoices and going forward we would make the adjustments, and we would let the petitioner or the property owner of the new business we will make them aware of what the bill would have been and then how the grant would be applied so that the fees would not need to be paid by them.

And attached in your packets online is the 2012 small building redevelopment grant application. As you can see, it lists the criteria, some very brief general information, and then it would need to be signed by the petitioner or the applicant. Again, it's not intended to be a complicated grant process, and it's not intended to be something that has to wait for special approvals. That I would be able to grant it based on the criteria in working through the process with them. Again, it was believed that this would be a way for us to encourage new development in, again, these smaller vacant buildings and to try to get these buildings back on the tax rolls and functioning.

John Steinbrink:

Jean, I think it's a good idea. Ayra's, who is the owner of that building now? It was the bank, he was going to buy it, I mean who would apply for the grant in that case?

Jean Werbie-Harris:

Akil would apply for the grant. He is actually buying it through a land contract to the Bank of Chilton. So he's the actual one that would make the application for it, because he would be bringing that – again, it was a failed business in that circumstance, and he would be bringing it back. And he's doing a number of site improvements if you've been out there. He has remodeled, removed tanks, removed canopies, new signage. It looks really nice compared to what it was. And so we're bringing a new business back to life out there.

Michael Serpe:

John, I agree with you, I think this is a fantastic idea. There's a push right now across the nation to address small businesses and getting them an upstart to do something to address them moving forward. I think this is a good move on the Village's part to do this. I can only see some

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positives coming out of this as a result of the adoption of this resolution, and I wholeheartedly support this. I think it's a great move. And it gives the person who has limited funds an opportunity to start something maybe that will grow to something big.

Steve Kumorkiewicz:

I have a question for Jean. Jean, the Sheridan Auto Body that's the same auto body repair that was there years ago, George Lyons property?

Jean Werbie-Harris:

George Lyons owns the property, but it's not the same group of individuals that are looking to open and operate it as a body shop.

Steve Kumorkiewicz:

Okay, because there used to be a body shop over there, that's why, years ago.

Jean Werbie-Harris:

A long time ago. And it was vacant for years. No, it's a separate group that's been trying to get it open and operating.

Steve Kumorkiewicz:

Okay, thank you.

Monica Yuhas:

Motion to approve 11-44.

Clyde Allen:

Second.

John Steinbrink:

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

YUHAS MOVED TO ADOPT RESOLUTION #11-44 AUTHORIZING THE 2012 SMALL BUILDING REDEVELOPMENT GRANT PROGRAM IN THE VILLAGE; SECONDED BY ALLEN; MOTION CARRIED 5-0.

- D. Consider Resolution #11-45 to support the grant award from the Knowles-Nelson Stewardship Program to The Nature Conservancy to purchase four parcels within the Chiwaukee Prairie.**

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Jean Werbie-Harris:

Mr. President, you have before you along with the Board members a resolution authorizing the Village's support for The Nature Conservancy's acquisition of lots in the Chiwaukee Prairie. The Village of Pleasant Prairie received four letters this month dated December 6, 2011, and they came from the stewardship nonprofit grant manager of the State of Wisconsin with the Department of Natural Resources. The letters indicated that a grant has been tentatively awarded to The Nature Conservancy of Wisconsin to purchase four parcels in the Chiwaukee Prairie Subdivision south of 116th Street. These lots are being purchased for permanent conservation and passive recreational purposes.

In the information you have before you and attached to this resolution we attached two different exhibits, Exhibit 1 and 2, Map 33 and 35. Both of these maps came out of the Land Use Management Plan for the Chiwaukee Prairie/Carol Beach area of the Town of Pleasant Prairie. And at that time there were maps that put together very specific information about where lots would be located that would be acquired on a willing seller/willing buyer basis by The Nature Conservancy and other agencies. And then also a post public hearing recommended land use management plan that talked about lots that would be acquired for open space preservation.

And in particular south of 116th Street you can see in the second map that there's a very large green area. And I believe that this is where the lots are located. And the reason why I say I believe that's where they're located is that the DNR at this point, because it's a tentative grant, would not send me the locations or lots of where they were located because it's confidential information until they actually acquire them. So this is a conditional resolution of support, and the State of Wisconsin now requires that if the community wants to they can send these resolutions of support to the State. But what I did was I wrote this as a conditional support.

And what I mean by that is if the lots proposed to be acquired by The Nature Conservancy with the DNR grant funds are located within an area identified as an open space preservation area, as shown on Map 35 of the plan, then the Village Board hereby supports the award of the grant. Again, without knowing exactly where they are it's difficult for you to say without a doubt that you support it, but we can't find out where they are. We just know how big they are, which there's hundreds of lots down there of that size. So the map that they sent me basically said in the vicinity south of 116th. So I'm prepared to support a resolution in support of this grant to The Nature Conservancy to acquire these lots insofar as the lots are within an area that's been identified for acquisition for public conservancy purposes.

John Steinbrink:

I'm sure if we guaranteed a square somewhat in the Village to secrecy they'll pop up.

Jean Werbie-Harris:

They aren't able to tell us where they are until they've acquired them.

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Michael Serpe:

Then why should we give them approval?

Jean Werbie-Harris:

We don't have to, but it's a new policy at the State level that they are asking the Village's recommendation.

Mike Pollocoff:

This is a good thing. Because honestly the State has taken grant money and bought lots outside of the acquisition area. And they come back to us and say you need to help us do something, close a road or do whatever, and they went outside the area of the plan. I'd recommend in the resolution in the resolve that it be amended to state that be it be resolved by the Village Board of Trustees that only if the lots proposed to be acquired are located within the area.

Michael Serpe:

Will they follow it if we do that?

Mike Pollocoff:

I don't know. The State does whatever they want to do. But I guess we'd go on record. If our goal is to acquire land in the acquisition area by the Chiwaukee Prairie Plan well then do it, but don't buy land on all these other parcels that you didn't get the agreement and now you're going to try to get them outside the agreement. But that would be my recommendation to make sure this is only if the lots proposed are in that.

John Steinbrink:

Good idea, because they're (inaudible) on what the agreement actually is, because I don't think anybody there has a copy of it anymore. If we could send them a copy of the agreement also.

Jean Werbie-Harris:

I can do that and these maps but my intent was if, if it is in there then we'll supply it. But I can add the word only and underline that if that's what you're requesting.

Michael Serpe:

And maybe we could do that for a private developer when he comes in, we're going to put the lots someplace over here, but we're not going to tell you yet.

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Mike Pollocoff:

I'd like to be able to do that with DNR when we're doing erosion control. Well, the erosion control is going to be somewhere over there. We're not going to tell you exactly where it's going to be.

Michael Serpe:

Talk about doing nothing right.

John Steinbrink:

All part of transparency in government. Motion with all those caveats.

Clyde Allen:

I'll make a motion with the change that the word only go between that and if in line 1.

John Steinbrink:

And also probably include a copy of the agreement also, the Chiwaukee agreement which we all agreed to.

Jean Werbie-Harris:

Would you like me to email that to them or –

John Steinbrink:

Sure.

Jean Werbie-Harris:

Whichever works best.

Jean Werbie-Harris:

I would prefer to email it or direct them to SEWRPC's website where it's available for download. It's 200 or 250 pages.

Michael Serpe:

If we email it to them could we ask for a response whether they agree or not?

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Jean Werbie-Harris:

Sure.

Michael Serpe:

Good.

John Steinbrink:

I think we've settled that. We have a motion by Clyde. Was there a second?

Jane Romanowski:

There's not a second yet.

Monica Yuhas:

Second.

John Steinbrink:

Second by Monica. Any further discussion?

ALLEN MOVED TO ADOPT RESOLUTION #11-45 TO SUPPORT THE GRANT AWARD FROM THE KNOWLES-NELSON STEWARDSHIP PROGRAM TO THE NATURE CONSERVANCY TO PURCHASE FOUR PARCELS WITHIN THE CHIWAUKEE PRAIRIE WITH THE CHANGE IN THE RESOLUTION THAT THE LOTS PURCHASED MUST BE LOTS IDENTIFIED FOR ACQUISITION AS PART OF THE CHIWAUKEE PRAIRIE PRESERVATION PLAN; SECONDED BY YUHAS; MOTION CARRIED 5-0.

- E. Consider approval of a Street Tree Easement Agreement between RC Westwood Estates LLC and the Village for street trees to be planted and maintained by the owner outside the right-of-way of 80th Street and 85th Avenue within the Westwood development.**

Jean Werbie-Harris:

Mr. President and members of the Board, you have before you a street trees easement agreement that's being entered into between the Village of Pleasant Prairie and the LLC Westwood Estates that owns the mobile home park, Westwood Estates, located east of 88th Avenue in the vicinity of 80th Street and 85th Avenue. Specifically, their last phase of their development as shown on the slide incorporated a much newer and larger lots, wider streets and a number of the amenities that a typical new subdivision would have in Pleasant Prairie. And, in fact, coming off of 88th Avenue to the east is 80th Street, and then turning to go south is 85th Avenue. So, in fact, this particular

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mobile home park has public street improvements in a portion of the private Westwood development which is the balance of the last phase of the development.

The project developer was required to put public street trees on both 80th Street and 85th Avenue in this development. Unfortunately, instead of contacting the Village engineering department or contacting someone from public works or CD to let us know where they were staking the public street trees, they just went ahead and put the public street trees in at the same location as all of the other trees in the development, which happens to be outside of the right of way and into the properties. So they actually look like private street trees because they're a ways away from the curb and gutter not within 5 feet or 9 feet but rather 15 or further back from the curb and gutter.

And all of these trees were planted. They contacted us to do the inspection and we said that the trees were in the wrong place, that they were all planted in the wrong place, they were planted on the private lots as opposed to the public right of way. We gave them two options. The first option was to replant all of the trees in the Village's right of way. The second option was to grant an easement to the Village of Pleasant Prairie. This was a very confusing easement at first because the developer did not understand, but they are public street trees planted on private property. The Village has a public easement to maintain them if we choose to, but that's only in the event that the private developer does not maintain these public street trees on private property. So they're an asset of the Village because they are public street trees but they're on private property with a public easement, and that's what this document states.

John Steinbrink:

But actually they're consistent with the rest of the park, the original park if they're set back?

Jean Werbie-Harris:

It's consistent with the look of the rest of the park with respect to where they're located, but it's not consistent because these trees are actually owned by the Village. So their attorney drafted this and it was kind of all messed up. And so I reviewed it, and then just to make sure that they were on board we then had our attorney review it, and I think we're all on board and they've executed the document.

Michael Serpe:

They're in agreement with this?

Jean Werbie-Harris:

Yes. And there is actually a one year warranty that started in October and it runs until 2012 October. The staff recommends approval of the street trees easement agreement for Westwood as presented.

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Steve Kumorkiewicz:

So moved.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Steve, second by Monica. Any further discussion? Just looking at the lots and the size of them and from a public safety aspect if you were to have a fire in this development versus the one we talked about previously I'm not sure how the department would handle something like that. Those units are so close together, and with the garbage that was in between them that was a real safety there. So I'm glad the Board took the action it did to get those things corrected. I think any future developments we know what the plan is going to be for them and we'll get the trees in the right spot. We won't have to trim them on the street, though. That will be the good thing. We have a motion and a second.

KUMORKIEWICZ MOVED TO APPROVE A STREET TREE EASEMENT AGREEMENT BETWEEN RC WESTWOOD ESTATES LLC AND THE VILLAGE FOR STREET TREES TO BE PLANTED AND MAINTAINED BY THE OWNER OUTSIDE THE RIGHT-OF-WAY OF 80TH STREET AND 85TH AVENUE WITHIN THE WESTWOOD DEVELOPMENT; SECONDED BY YUHAS; MOTION CARRIED 5-0.

F. Consider Resolution #11-46 accepting the public street, infrastructure and tree improvements on 80th Street and 85th Avenue in Westwood Estates.

Mike Spence:

Mr. President and members of the Board, this is a follow up to what was just discussed. This resolution is to accept all the public improvements for the Westwood Estates Mobile Home Park. That includes 80th Street which is the east/west portion there, and then 85th Avenue to the east side of the drawing there. It also refers to the resolution that was just passed for the landscape easement. So the resolution before you, again, is to accept all the public improvements for this development, the roadway, the sewer, the water main and the street trees and landscaping that was done for the development. So I recommend that this resolution be approved.

Clyde Allen:

I'll move Resolution 11-46

Michael Serpe:

Second.

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John Steinbrink:

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

ALLEN MOVED TO ADOPT RESOLUTION #11-46 ACCEPTING THE PUBLIC STREET, INFRASTRUCTURE AND TREE IMPROVEMENTS ON 80TH STREET AND 85TH AVENUE IN WESTWOOD ESTATES; SECONDED BY SERPE; MOTION CARRIED 5-0.

G. Consider Ordinance #11-36 to amend Chapter 380 of the Municipal Code related to building permit fees.

Mike Spence:

Mr. President and members of the Board, we reviewed the fees that we charge for building permits, and in an effort to make the fees more representative of the effort that staff has to incur to do this work we're recommending an increase of certain fees. The fees that I'm recommending increasing there's a permit fee for when we have to inspect fireplaces for single family, two family and multifamily developments. The current fee is \$40. I'm recommending that that get increased to \$50. In working with our building inspectors we were finding that there's a little more effort involved. Again, this is in response to that.

The other fees that we're recommending are actually new fees. Life safety inspection is something that's required by the State. And what that is it's egress lighting in case of emergencies, so our inspectors actually have to go to the building at night and they have to look at the lighting that's available. We have to actually take lighting measurements. Then we have to go back to the office and we have to look at different escape routes if you will. So that effort currently really wasn't being accounted for in any kind of permit or fee. So I'm recommending the institution of that new fee. And, unfortunately, we find a lot of times we have to go back. The developer – there's a lot of back and forth in getting the lighting the way it needs to be in an emergency situation, so I'm recommending that under certain conditions or circumstances that if we have to go back and reinspect that there'd be another fee.

And then finally, again, there's a lot of commercial development where we're having to review a low voltage sign. It is somewhat involved to look at the wiring and so forth, so I'm recommending a fee for that of \$75. I recommend that these fees be approved.

Monica Yuhas:

Motion to approve Ordinance 11-36.

Steve Kumorkiewicz:

Second.

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Michael Serpe:

With a question.

John Steinbrink:

Motion by Monica, second by Clyde.

Michael Serpe:

Mike, if you go to a commercial establishment for a life safety inspection with the lights that they put in it's \$150 for the permit is that right?

Mike Spence:

That's correct.

Michael Serpe:

And if for some reason the thing fails you have to back and charge another \$100?

Mike Spence:

That is correct. We do use some discretion depending on if something isn't right, if it can be done without a reinspection we would do that. This would probably be something chronic or something that they're just not getting it right and they're not installing the lights where they need to.

Mike Pollocoff:

If there's an inspection and they're given direction to what needs to happen, they say, okay, we got it done, come out and look at it and we go back out there and they didn't do what they were supposed to do so it's still not right, then you've got to go back out. Again, these are reinspections that occur typically when the building is proposed.

Michael Serpe:

But these have to be put in by a licensed electrician?

Mike Pollocoff:

Sure.

Mike Spence:

Yes.

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Michael Serpe:

So who do we go after, the licensed electrician or the owner?

Mike Pollocoff:

Whoever pulls the permit. Now, the obligation of the electrical contractor to the owner is to deliver a building that meets a code. So we've always told somebody if this thing isn't meeting code because the electrical contractor is being stubborn and he's doing something else or he's not catching on, that shouldn't be an expense of the owner because their contract is to get an electrical system put in that meets the code. If it doesn't meet the code and we have to keep going back out there to show him why it doesn't meet code and either they're arguing with us or they're fighting over I shouldn't have to put this much stuff in, then it really should be the electrical contractor. If the owners want to pay for that because they get a better feeling about it I guess that's their deal.

Michael Serpe:

The contractor is basically on the hook.

Mike Pollocoff:

That's who pulls the permit is the electrical contractor.

Michael Serpe:

That's good then.

John Steinbrink:

Mike, what if it's a building that is, say, 30 acres and it's got 100 exits versus a building that's a half acre with three exits, same price?

Mike Spence:

Yeah, at this point we haven't made that distinction. I can tell you that when Uline which is obviously a much bigger facility when they were constructed it did take more time. I guess the intent here is to – we looked at the different inspections and this is probably an average. So at this point if it was a really big facility we wouldn't be recovering all our costs.

Michael Serpe:

I have one more question. Are these the items that are battery backup?

Village Board Meeting
December 19, 2011

Mike Spence:

Yeah, these are the lights that go on in case there is a power failure and to direct somebody that happened to be in there when the lights or the power go off.

Michael Serpe:

I understand that. When do we inspect these and how often do we inspect these to see if they work?

Mike Spence:

There's the initial inspection when the building is –

Michael Serpe:

Fire inspection.

Mike Spence:

I think the fire inspections do that.

Michael Serpe:

Okay, thank you.

Steve Kumorkiewicz:

Mike, I work in this business for years, this particular type. All those emergency lights have a battery in the bottom that you can push it up and the light comes on. The line supply goes directly to battery. Actually what they do is point out the exit route which is a request by OSHA to comply with that in every building. So actually it can be inspected at any time.

Mike Spence:

Right, but when the building is initially being constructed or a new occupant is in there that's when we typically – our building department does the inspection. And it is, you're right, it is the emergency access route, and it's meant to be able to show someone how to exit safely.

Steve Kumorkiewicz:

Yes. It is requested by OSHA.

John Steinbrink:

We have a motion and a second.

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YUHAS MOVED TO ADOPT ORDINANCE #11-36 TO AMEND CHAPTER 380 OF THE MUNICIPAL CODE RELATED TO BUILDING PERMIT FEES; SECONDED BY ALLEN; MOTION CARRIED 5-0.

H. Consider Resolution #11-50 to approve the commitment and assignment of fund balances.

Kathy Goessl:

Mr. President, the Government Accounting Standard Board has issued a new Statement Number 54 which has defined fund balance reporting and government fund type definitions which affects our special revenue funds. We have four different funds for special revenue. This resolution is to designate and commit the funds for two of those special revenue funds. The first one is the fire and rescue special revenue fund. I am recommending that the donations and fundraising activities and other resources of this fund be committed for equipment, supplies and expenses for the Pleasant Prairie Fire and Rescue Department.

And the second fund in this resolution is the police special revenue fund. And I'm recommending here that the donations, grants and other resources of the police special revenue fund be committed for professional services, equipment and supplies for the Pleasant Prairie police canine program or other Pleasant Prairie police general purpose supplies, services and equipment.

Therefore, these funds can be recognized separately on our official financial statements which are issued annual and not collapsed into our general revenue fund or our general government fund. So I'm looking for approval for this Resolution 11-50.

Clyde Allen:

I move to approve 11-59 for GASB 54.

Michael Serpe:

Second.

John Steinbrink:

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

Steve Kumorkiewicz:

Yes, a question. Is a service club initiating a fundraiser for example, that case it goes to this fund?

Village Board Meeting
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Kathy Goessl:

Yes, it has in the past as well. But according to this new standard we have to recognize it as a resolution that this money is committed to that purpose when a fundraiser or resources are designated for that purpose.

Steve Kumorkiewicz:

Thank you.

John Steinbrink:

No further comment?

ALLEN MOVED TO ADOPT RESOLUTION #11-50 TO APPROVE THE COMMITMENT AND ASSIGNMENT OF FUND BALANCES; SECONDED BY SERPE; MOTION CARRIED 5-0.

I. Consider Resolution #11-51 to close the Veteran's Memorial Special Revenue Fund.

Kathy Goessl:

This resolution is also initiated by our Government Accounting Standard Board with Statement Number 54. One of our other special revenue funds currently is the Veteran's Memorial. This Veteran's Memorial fund was created a number of years ago. But the actual purpose of this fund was to build the Veteran's Memorial in Prairie Springs Park. It was actually built in 2007. But when it was built in 2007 it left a negative fund balance in the Veteran's Memorial special revenue fund. It's very slowly been making that negative number less, but it still is around about \$14,000. And my recommendation is to actually close this fund and collapse it into our general government operating fund. Therefore, the \$14,000 would be covered at the end of this year by the general government. And any future donations or expenses associated with our Veteran's Memorial would then be run through our parks department in the general government operating fund instead of having it's own special revenue fund. So I'm looking for approval for 11-51.

Michael Serpe:

Make a motion to approve 11-51 to close the Veteran's Memorial special fund.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Village Board Meeting
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SERPE MOVED TO ADOPT RESOLUTION #11-51 TO CLOSE THE VETERAN'S MEMORIAL SPECIAL REVENUE FUND; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

K. Consider Ordinance #11-37 to amend Chapter 98 of the Municipal Code relating to change of polling location.

Jane Romanowski:

Mr. President and Board members, as you know the Police Department will be expanding into the auditorium at the Prange building sometime starting this spring. And I thought it would be better to be proactive and get a new polling place at the same time as notices will be going out about redistricting and changing polling places. So I met with staff, talked to the Pastor over at Lamb of God Lutheran Church which is located on Old Green Bay Road just north of 85th Street. They've graciously agreed and are welcoming the Village to have a polling location at their church effective of the start of the February 21st election. They know all the election dates, and they are willing to work with us to set up and take down, just issue a certificate of insurance for liability purposes and we are ready to go.

Clyde Allen:

I'll make a motion to approve 11-37.

Michael Serpe:

Second with a question.

John Steinbrink:

Motion by Clyde, second by Mike.

Michael Serpe:

Why are we moving?

Jane Romanowski:

Because the Police Department is overtaking the auditorium for expansion.

John Steinbrink:

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

ALLEN MOVED TO ADOPT ORDINANCE #11-37 TO AMEND CHAPTER 98 OF THE MUNICIPAL CODE RELATING TO CHANGE OF POLLING LOCATION; SECONDED BY SERPE; MOTION CARRIED 5-0.

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L. Consider appointment of elections inspectors for the 1/1/12 - 12/31/13 term.

Jane Romanowski:

As you know, every two years in the odd number years of December by law the Village needs to appoint election inspectors for a two year term which would begin January 1, 2012 and run through December 31, 2013. I have attached a list of not only current poll workers, poll workers who have expressed interest, but also this includes nominations from the Republican Party of Kenosha County. As you can see, the list has been attached, and I would recommend the Board approve the election inspector term appointments for that term January 1, 2012 through December 31, 2013.

Michael Serpe:

I understand this is a law, but I also understand that we had poll workers working here every election for years and felt that they were doing really something good for the community and a community service for long hours, unappreciated, sometimes hectic. And now the way it looks some of our regular workers are going to be let go because somebody elected to take an obscure old law and bring it forward to put into effect. It's unfortunate that politics has to go so deep into everybody's lives to make some peoples' lives miserable. This is just another example. I feel bad for those that look forward to coming into this Village Hall or any of our other polling places to give their day to do something for the community for so many years, and now we have to say you can't come back. It's too bad.

Jane Romanowski:

Mr. Serpe, I'll be sending letters out to the 21 nominees tomorrow asking them for the commitment of attending mandatory training each before every election and working all the elections in that two-year term, not just coming and going as you please. And if the commitment isn't there for any of the nominees that we received, then we will go down the list and keep using our current poll workers. But right now what the law states is I would need to use three Republicans in every polling place and then fill it in with our unaffiliated members, because I've never received a list from either party in the years I've been here. This is something that happened statewide. We're just following the law, and I will see what kind of a commitment I can get out of new workers. You never know, sometimes the new workers - there are a lot of good people. But they do have to make the commitment. This is going to be a difficult year for training. And I would definitely need that commitment for the two years and to be available for any type of training and any elections that may come up.

Mike Pollocoff:

If they wanted to join the Republican Party and pay \$15 then they can be on the list?

Village Board Meeting
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Jane Romanowski:

That's what was going around. A lot of poll workers were getting calls. I didn't hear from any of mine, but around the State the party was calling them and saying you pay \$15 and you get on the list and we'll submit it to the municipalities. I didn't have any of those calls or any of the poll workers tell me this. My poll workers right now, the current ones, I haven't told them that we've gotten this list because I think I need to follow through the process and see if I get that commitment. But it could mean 15 workers not working that have worked for me some of them over 16 years. But nonetheless, I'll send the letter out. I'll give a deadline, and I do need that commitment if we're going to start moving forward with using different workers.

Mike Pollocoff:

That still could be a remedy. If they still want to – if it's important for them to be a poll worker, they would just need to declare themselves as a Republican, pay the money –

Jane Romanowski:

Except the list had to be received by November 30th.

Mike Pollocoff:

They can't change it after it's received?

Jane Romanowski:

No, we don't have to accept any more lists.

Mike Pollocoff:

Sometimes that will solve a lot of things if they make that commitment.

Jane Romanowski:

There was a November 30th deadline, and the push was going through the State, and I do know of municipalities who were losing all of the poll workers because they got lists from both parties.. And when you have mandatory training for the chief inspectors, state training and then training for us and then we train quite a bit, I train before every election, I have to because there's so much changing, but what's coming down the tunnel in 2012 is very critical, and it's really going to be an interesting year with the photo ID, different voter registration requirements, provisional loading, absentees.

John Steinbrink:

And the court challenges.

Village Board Meeting
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Jane Romanowski:

Yes, which after we put all this information might change. So we're just following the law here and we're doing what we need to do. Again, like I said, the people will be contacted. And once I get a response from them then I can start determining a schedule for training and contacting current poll workers who – all the positions are open right now until the Board appoints them. So there really aren't any filled positions. I have ten ladies and gentlemen together that are certified chief inspectors that you have to have on site and an alternate chief inspector. So if it happens I need to use three Republicans, the only people I can keep are my chief and my alternate that are trained that have been trained for many years because it's by law I have to have them on staff.

John Steinbrink:

And many of these people have arranged their lives and their schedules so they're here for the elections, they know the routine.

Jane Romanowski:

I have many, many committed, just great poll workers who have given a lot of time and energy and really do a great job for the Village.

Michael Serpe:

Jane does this by herself, and she's done a fantastic job over the years, I have to give her the credit. I guess I just don't like – and I didn't even know this law existed until I saw this list come through. Shame on me I guess. But I guess I don't like to come in to cast my ballot knowing that at this particular juncture we have Republicans sitting at the polling places and the next time it might be Democrats. I just like to see these people being dedicated volunteers who get a minimal amount of pay for their efforts doing the job. And there's a certain amount of training that has to go on. Our elections have been very, very good. I hope they continue to be very, very good. But it's just another burden on an individual who does this on her own. And I guess I'm fed up with the entire political system is what I'm saying. Maybe my feelings are coming out and they shouldn't be but I don't like it.

John Steinbrink:

Did we have a motion?

Jane Romanowski:

No, we did not but it's a law we need to follow.

Clyde Allen:

I guess reluctantly I will make the motion.

Village Board Meeting
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Monica Yuhas:

Second.

John Steinbrink:

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

ALLEN MOVED TO APPROVE THE LIST OF ELECTION INSPECTORS NOMINATED FOR THE TERM 1/1/12 THROUGH 12/31/13 AS PRESENTED; SECONDED BY YUHAS; MOTION CARRIED 5-0.

9. VILLAGE BOARD COMMENTS

Clyde Allen:

The calendars went out. Again, very nicely done. Not only nicely done but this year has an awful lot of information in it which is really helpful. This is even better than in the past so I really appreciate that and it's done nicely. I want to wish everyone in the Village and all the Board and employees merry Christmas and a happy new year.

Michael Serpe:

I second that.

John Steinbrink:

Any other Board comments?

10. ADJOURNMENT

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY ALLEN; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 8:15 P.M.

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
January 9, 2012
5:30 p.m.**

A special meeting of the Pleasant Prairie Village Board was held on Monday, January 9, 2012. Meeting called to order at 5:30 p.m. Present were Village Board members John Steinbrink, Monica Yuhas, Steve Kumorkiewicz, Clyde Allen and Mike Serpe. Also present were Mike Pollocoff, Village Administrator; Tom Shircel, Assistant Administrator; Kathy Goessl, Finance Director; Jean Werbie-Harris, Community Development Director; Mike Spence, Village Engineer and Jane Romanowski, Village Clerk. No citizens attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. NEW BUSINESS

A. Consider Resolution #12-01 – Resolution authorizing the issuance and sale of \$2,595,000 General Obligation Refunding Bonds, Series 2012.

Gene Schulz:

Piper Jaffray. The bond issuance will be for \$2,605,000.

Jane Romanowski:

The Board does have a copy of the updated resolution.

Kathy Goessl:

This is to call a 2013 balloon payment for the RecPlex and to refinance it for 10 years through 2023. It was \$2,605,000 with a premium of \$146,889 to give us the money to be able to refinance the \$2.7 million bonds that were due in 2013 but we will pay these in a little over a month. We are going to call them and then we are going to pay them off. So we actually are cutting the interest rate in half from an average of around 4 percent to 2 percent. It is a good thing. We are looking for a roll call vote to be able to issue this debt to call another one and pay it off.

Village Board Meeting
January 9, 2012

SERPE MOVED TO ADOPT RESOLUTION #12-01 – RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,605,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 (ATTACHED); SECONDED BY ALLEN; ROLL CALL VOTE – STEINBRINK – YES; YUHAS – YES; KUMORKIEWICZ – YES; ALLEN – YES; SERPE – YES; MOTION CARRIED 5-0.

5. ADJOURNMENT

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

Consider **Ord. #12-01** to amend Sections 420-137 B and 420-137 E of the Village Zoning Ordinance related to Planned Unit Development District requirements.

Recommendation:

On January 9, 2012 the Village Plan Commission held a public hearing and recommended that the Village Board approve **Ord. #12-01** as presented in the January 16, 2012 Village Staff Report.

VILLAGE STAFF REPORT OF JANUARY 16, 2012

Consider **Ord. #12-01** to amend Sections 420-137 B and 420-137 E of the Village Zoning Ordinance related to Planned Unit Development District requirements.

On December 12, 2011 the Plan Commission adopted Resolution #11-09 to initiate amendments to the Village Zoning Ordinance related to the PUD, Planned Unit Development Ordinance to allow such overlay district over any basic zoning district classification and to amend the minimum lot area for a PUD to be created.

The following amendments are proposed:

1. **Section 420-137 B related to the district created is hereby amended as follows:**

B. District created. So as to ensure a maximum benefit to both the community and to developers and so as to provide flexibility in planning in all the districts created under this chapter, ~~except for the A-1, R-6, and R-12 Districts,~~ there is hereby created the Planned Unit Development Overlay District.

2. **Section 420-137 E related to minimum area requirements is hereby amended as follows:**

E. Minimum area requirements. **None.** ~~Areas designated as PUD Overlay Districts shall contain a minimum development area as follows:~~

Principal Use	Minimum Area of PUD
Residential planned unit development	1 acre
Commercial planned unit development	3 acres
Industrial planned unit development	40 acres
Agricultural planned unit development	15 acres

On January 9, 2012 the Village Plan Commission held a public hearing and recommended that the Village Board approve **Ord. #12-01** as presented in the January 16, 2012 Village Staff Report.

ORD. NO. 12-01

ORDINANCE TO AMEND SECTION 420-137
THE VILLAGE ZONING ORDINANCE
RELATED TO PLANNED UNIT DEVELOPMENTS
IN THE VILLAGE OF PLEASANT PRAIRIE,
KENOSHA COUNTY, WISCONSIN

THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE,
KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THE FOLLOWING
AMENDMENTS TO SECTION 420-137 OF THE VILLAGE ZONING ORDINANCE:

1. Section 420-137 B related to the district created is hereby amended as follows:

B. District created. So as to ensure a maximum benefit to both the community and to developers and so as to provide flexibility in planning in all the districts created under this chapter, ~~except for the A-1, R-6, and R-12 Districts,~~ there is hereby created the Planned Unit Development Overlay District.

2. Section 420-137 E related to minimum area requirements is hereby amended as follows:

E. Minimum area requirements. **None.** ~~Areas designated as PUD Overlay Districts shall contain a minimum development area as follows:~~

Principal Use	Minimum Area of PUD
Residential planned unit development	1 acre
Commercial planned unit development	3 acres
Industrial planned unit development	40 acres
Agricultural planned unit development	15 acres

Adopted this 16th day of January, 2012.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk

Posted: _____



Office of the Director of
Information Technology
Ruth M. Otto

Date: January 10, 2012

To: Village of Pleasant Prairie Village Board
Mike Pollocoff, Village Administrator

From: Ruth M. Otto, Director of Information Technology

Re: Award Contract for Access Control Equipment Installation at the Roger Prange Municipal Center

As an ongoing initiative to create a safe, secure working environment, access control is an important piece. This project will provide electronic door locks and keypad/HID card readers at the Roger Prange Municipal Center. This project will enable the Roger Prange building system to tie into the existing municipal wide access control software program. Door locks, codes and cards will be managed from a central location. Each employee can be given a PIN code or access card to enter the building.

Also included are remote openers for the Police garage bay doors, allowing officers to open/close doors from their vehicles.

A RFQ for the access control project was sent out in November of 2011. Quotes were returned by November 28th, 2011. The Village received six responses. The chart below shows the numbers submitted. This project was a capital budget project for 2011, IT-08, for the amount of \$26,800.

The lowest qualified quote for Access Control was from Innovative Systems Incorporated (Oak Creek, WI) for the amount of \$16,580.73.

The highest qualified quote for Access Control was from Becker Electric (Kenosha, WI) for the amount of \$29,675.

AMI submitted a quote for the amount of \$11,907; however they did not meet the criteria set forth in the RFQ.

Installation of remote transmitters and receivers for Police Department overhead doors was quoted at \$1599 by A&R Doors (Kenosha, WI).

Staff requests approval of the Innovative Systems Incorporated contract for the amount of **\$16,580.73**.
Staff requests approval of the A&R Doors contract for the amount of **\$1,599**.



Office of the Director of
Information Technology
Ruth M. Otto

Contractor	Current Bid	Approved Contractor
Becker Electric	\$29,675	Yes
ASI	\$24,000	No
Esscoe	\$22,876	Yes
Venture	\$20,327	Yes
Innovative Systems	\$16,580.73	Yes
AMI	\$11,907	No



Office of Information Technology
Ryan Marquart
Technical Services Manager

The Village of Pleasant Prairie is requesting quotes for purchase and installation of Keyscan Access Control products at the Roger Prange Municipal Building, 8600 Green Bay Road, Pleasant Prairie, WI, 53158.

The attached PDF document shows the building layout, with each requested access control point.

The attached excel spreadsheet shows generic details of the work.

Currently there are 9 locations that need updated readers/locks or in some cases, new installation. Currently the building does not have Keyscan control panels.

One element of the project that requires extra attention is the touch screen/relays in our Dispatch Center. Dispatch can unlock two doors from a touch screen console. Currently the touchscreens are connected to some rather old relay panels, the wires would need to be traced out and redirected to the new panels.

If you are interested in doing a building walk through, please contact me via the means listed below.

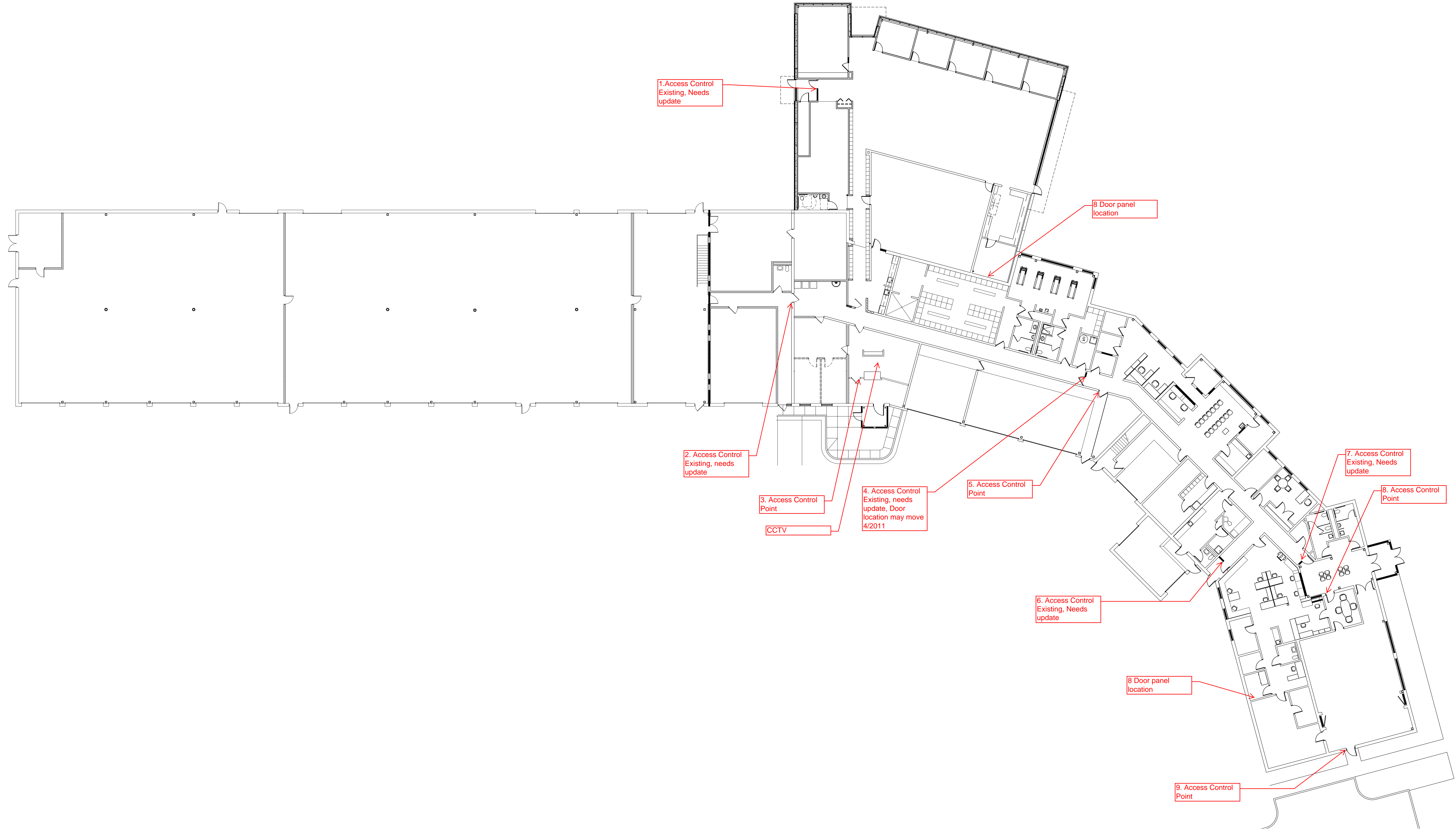
Please return quotes with labor and equipment charges separated out.

Quotes should be returned no later than 3pm November 28, 2011.

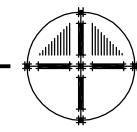
Village Ordinance requires that any work done for the Village of Pleasant Prairie must be carried out by an Approved Contractor, the application can be found on the [Village's website](#).

Ryan Marquart
Technical Services Manager
Village of Pleasant Prairie
8600 Green Bay Road
Pleasant Prairie, WI 53158
262.925.6771
AV@plprairiewi.com

Location	Reader Style	Lock Mechanism	Exit	Notes
1. PW Back Entrance	Keypad, HID reader	Electronic Strike	Existing	
2. PW Garage/Main Entrance	Keypad,HID reader	Mag Lock	Motion sensing	
3. PW Visitor Entrance	HID reader	Electronic Strike	Existing	Turn handle to exit
4. PW/PD Hallway	Keypad, HID reader	Electronic Strike	Existing	Turn handle to exit
5. PD Garage	Keypad, HID reader	Electronic Strike	Existing	Turn handle to exit
6. PD Employee Entrance	Keypad, HID reader	Electronic Strike	Existing	Push bar to exit, Dispatch has option to open doors from touch screen relay
7. PD Lobby Entrance	Keypad, HID reader	Electronic Strike	Existing	Dispatch has the option to open doors from touch screen relay
8. PD Conference	Keypad, HID reader	Electronic Strike	Existing	
9. Future Roll Call	Keypad, HID reader	Electronic Strike	Existing	Push bar to exit
Keyscan 8 door panel Qty.2				Location notated on building layout



FLOOR PLAN
1/16" = 1'-0"



REGIONS

PRANGE CENTER
Pleasant Prairie, WI
EXISTING CONDITIONS

PARTNERS IN DESIGN
ARCHITECTS
P.O. Box 1000
Pleasant Prairie, WI 53158

PROJECT NO:
13004105
DRAWN BY: JAC
CHECKED BY: TOC
DATE: 11.18.04
SHEET NO.:

VILLAGE BOARD RESOLUTION #12-02

ACCEPTANCE OF PUBLIC IMPROVEMENTS IN RE: PUBLIC STREET, SANITARY AND STORM SEWER, WATER MAIN, STORMWATER BASIN, STREET TREES AND LANDSCAPING IMPROVEMENTS FOR LOTS 1 THROUGH 4, OF CSM 2520 (CREEKSIDE HILL, LLC), PLEASANT PRAIRIE, WISCONSIN AS LEGALLY DESCRIBED BELOW

Legal Descriptions:

Lots 1 through 4 of Certified Survey Map (CSM) 2520, located in a part of U.S. Public Land Survey Section 25, Township 1 North, Range 22 East in Village of Pleasant Prairie, Kenosha County, Wisconsin;

WHEREAS, on May 5, 2006 a Memorandum of Development Agreement between the Village and Creekside Hill, LLC was duly recorded as Document No. 1478927 at the Kenosha County Register of Deeds Office; and

WHEREAS, CSM 2520 as referenced in the Agreement the Developer dedicated, given, granted and conveyed, to the Village, certain right-of-way affecting the properties and certain areas included in the Development for the public street, sanitary and storm sewer, water main, stormwater basin, street trees and landscaping improvements, and maintenance purposes and access purposes. These dedications are described on the approved CSM 2520 for the Development, which is a part of said Agreement; and

WHEREAS, all public improvements such as but not limited to public street, sanitary and storm sewer, water main, stormwater basin, street trees and landscaping improvements have been completed, inspected and record information received.

NOW THEREFORE, on 16th day of January, 2012 the Village of Pleasant Prairie Board of Trustees hereby accepts the public street, sanitary and storm sewer, water main, stormwater basin, street trees and landscaping improvements associated with the Lots 1 through 4 of CSM 2520 developed by Creekside Hill. LLC as specified in said Agreement.

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk



MEMO

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

TO: Mike Pollocoff, Village Administrator

CC: Jane Romanowski, Village Clerk

FROM: Mike Spence, P.E., Village Engineer

DATE: January 10, 2012

SUBJ: Professional Geotechnical Services Agreement
Professional Service Industries, Inc. (PSI)
Proposed Sanitary Sewer D Maintenance Access Path

The construction of Sewer D was completed in 2011 and replaced the Sewer D Wastewater Treatment Plant. Specifically, the sewer project included siphons that require inspection and cleaning on a regular basis. The plan for this project also included the development of a path for maintenance access to the sewer for inspection and cleaning purposes. In order to facilitate the permitting of the sewer project, the path work was delayed until now.

The construction of this path will require the placement of additional fill over the installed pipeline and adjacent to the creek that the siphons cross. The scope of services for this project will be to conduct test borings at the subject site and provide geotechnical recommendations for support options for the new access path. The borings will be performed to delineate the subsurface soil and groundwater conditions along the proposed alignment of the path. Additionally, settlement of the soils adjacent to the sewer pipe will be calculated based on the proposed embankment and equipment uses.

At the conclusion of the field and laboratory work, a registered professional engineer from PSI will prepare a letter geotechnical exploration report. The report will provide specific geotechnical information that will assist in the design and construction of the maintenance path.

The attached proposal from PSI details the scope of services for this work. The total fee for these services will be \$7,738.00.

I recommend that the agreement from Professional Service Industries, Inc. (PSI) be approved.

January 10, 2012

Mr. Michael Spence, P.E.
Village of Pleasant Prairie
8600 Green Bay Road
Pleasant Prairie, WI 53158

Re: Proposal for Geotechnical Services
Proposed Sanitary Sewer D Maintenance Access Path
Pleasant Prairie, Wisconsin
PSI Proposal No.: PO-052-59828R1

Dear Mr. Spence:

Professional Service Industries, Inc. (PSI) is submitting this proposal to conduct a geotechnical exploration for the proposed sanitary Sewer D maintenance access path project. PSI's proposed scope of services, schedule and fee information are provided in the following sections. Thank you for giving us this opportunity to propose our services.

SITE DESCRIPTION

PSI understands that the project consists of constructing an asphalt paved maintenance access path over the top of the newly constructed sanitary Sewer D in the Village of Pleasant Prairie. The purpose of the path will be to provide access by Village personnel to both inspect and clean out the sewer line, approximately once per month. A large vac-truck is used to clean the sewers and will be at each manhole location for approximately 4 to 6 hours during operation. The truck reportedly weighs approximately 60,000 lbs. and has three axles.

Where existing sewer crosses the Pleasant Prairie Tributary, a culvert will be installed to allow for access across the creek. To accommodate construction of the access path, 2 to 6 feet of new fill will be required to raise existing site grades adjacent to the creek. The path in this area will also be subject to possible flooding as it is in the flood plain.

The desired method to construct the new path is by building an embankment to support the asphalt path. However, the loads imposed from the embankment will impart some settlement within the existing sewer backfill and soils below the sewer, the magnitude of which will be dependent upon the amount of new fill placed and the compressibility characteristics of the underlying backfill and natural soils. The purpose of this exploration will be to evaluate the amount of settlement. If the calculated settlement is too great, other methods of support including a bridge or re-aligning the path so it does not sit over the sewer pipe, will be considered.

Should any of the above information be inconsistent with the planned construction, PSI requests that you contact us immediately to allow us to make any necessary modifications to this proposal.

SCOPE OF SERVICES

The scope of our services for this project will be to conduct test borings at the subject site and provide geotechnical recommendations for support options for the new access path. In general, the borings will be performed to delineate the subsurface soil and groundwater conditions along the proposed alignment of the path. Additionally, settlement of the soils adjacent to the sewer pipe will be calculated based on the proposed embankment and equipment usages.

PSI proposes to conduct a total of 4 borings, each to a depth of 30 feet, or auger refusal, whichever is less. Three borings are planned on the south side of the stream bed where the higher embankment loads are planned. One boring is planned for the north side of the stream bed. Additionally, two borings will be completed in the loose backfill over the top of the sewer being careful not to drill or sample within 1 foot of the top of the pipe. Samples from these borings will be used to perform consolidation tests and determine the anticipated settlement of the subgrade soils due to the weight of the new embankment.

The test borings will be performed with PSI's ATV track-mounted, rotary drill rig using conventional hollow stem augers. Within the test borings, soil samples will be obtained at 2 ½ -foot increments to a depth of 10 feet and then every 5 feet thereafter to the termination depth of the boring employing split-barrel sampling procedures in general accordance with ASTM D-1586. In accordance with state code, all borings/probes that are greater than 10 feet deep will be backfilled with bentonite.

PSI's proposal is based on the boring locations being field located by the Village of Pleasant Prairie or your designated surveyor prior to PSI's arrival on-site. PSI should be provided with the surface elevation and stationing of the borings to be included in our report.

Some damage to ground surface may result from the drilling operations near the work areas and along ingress/egress pathways. PSI will attempt to minimize such damage, but no restoration other than backfilling the soil test boring and patching the surface is included. Additionally, PSI's proposal is based on leaving the auger cuttings produced during drilling operations at the edge of the shoulder closest to the boring locations.

The soil samples that are obtained from the test borings will be returned to PSI's laboratory for classification and testing. PSI plans to conduct penetration resistance and moisture content tests on the recovered soil samples. Samples from these borings will be used to perform consolidation tests and determine the anticipated settlement of the subgrade soils due to the weight of the new embankment.

REPORT

At the conclusion of our field and laboratory work, one of our registered professional engineers will prepare a letter style geotechnical exploration report. Three copies of the report will be provided. The report will include:

- Descriptions of the soil and groundwater conditions at the test boring locations;
- A summary of the laboratory test results (where applicable) as they relate to the proposed site development;
- Site preparation information including placement and compaction of engineered fill for construction of the new embankments;
- Alternative foundation recommendations for support of the access path if the settlement of the embankment and/or subgrade soils is too great;
- Recommendations for pavement section for the new path including asphalt and base course thickness;
- Recommendations for support of proposed culvert in creek bed including type of foundation;
- Recommendations for a construction inspection program;
- Comments and recommendations relating to other observed geotechnical conditions which could impact the construction of the path.

Three hard copies and one electronic copy of the geotechnical report, addressed to the Village of Pleasant Prairie will be prepared.

SCHEDULE

PSI can begin work on this project immediately after receiving authorization to proceed. If the borings reach planned depths, field work should take 1 to 2 days to complete. Preliminary boring information can be provided within 10 business days after completion of the test borings. The final report will be delivered about 30 business days after the test borings are complete. Longer final report times are due to the longer times required to perform the consolidation tests as recommended herein.

SPECIAL INSTRUCTIONS

PSI requests any available site development plans or previous geotechnical investigations. Upon project start-up, PSI will contact you or your designated representative regarding this information and project scheduling.

PSI will contact Diggers Hotline for public utility clearance prior to the start of drilling activities. However, this service does not mark the locations of privately owned utilities. PSI's proposal is based that private utility lines and other subsurface appurtenances will be located in the field by others prior to our mobilization.

FEES

It is proposed that the fee for performance of the outlined scope of services be charged on a lump sum basis. Based on the scope of services outlined above, the total fee for geotechnical services will be \$7,738.00.

PSI's proposal is based on the site being readily accessible to our track-mounted ATV drilling equipment. Additional charges would apply for such things as snow removal or tree clearing. PSI would notify you prior to any additional charges being in acted.

Should conditions be encountered which require deepening borings or additional investigation, we will notify you to discuss modifying the outlined scope of work. Additional work beyond the lump sum fee will not be performed without your prior authorization.

PSI is available to review earthwork and foundation related portions of project drawings and specifications, and to confer with the design team after submittal of our report. Such follow-up services are beyond the scope of this proposal, and would be invoiced on a unit rate basis in accordance with PSI's standard Fee Schedule. PSI will obtain your specific authorization prior to providing additional services.

AUTHORIZATION

PSI will perform the work in accordance with the attached General Conditions that are incorporated into and made a part of this proposal. Please sign the attached sheet as notice to proceed and return one copy to our office. We will proceed with the work upon receipt of authorization.

We appreciate the opportunity to offer our services to your project and look forward to working with you. Please call with any questions you may have, or if PSI can be of additional service.

Respectfully submitted,

PROFESSIONAL SERVICE INDUSTRIES, INC.

Electronic Copy

Paul J. Koszarek, P.E.
Geotechnical Department Manager

Electronic Copy

David M. Barndt, P.E.
Vice President

Attachments: Proposal Acceptance
 General Conditions

PROPOSAL ACCEPTANCE

AGREED TO, THIS _____ •DAY OF _____ , 2012. BY (please print): _____ TITLE: _____ COMPANY: _____ SIGNATURE: _____

PROJECT INFORMATION:

1. Project Name: _____
2. Project Location: _____
3. Your Job No: _____ Purchase Order No.: _____
4. Project Manager: _____ Telephone No.: _____
5. Site Contact: _____ Telephone No.: _____
6. Number and Distribution of Reports:
() Copies To: _____ () Copies To: _____

Attn: _____ Attn: _____

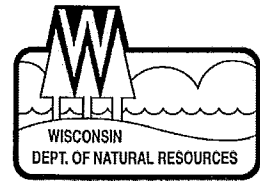
() Copies To: _____ () Copies To: _____

Attn: _____ Attn: _____
7. Invoicing Address: _____

Attn: _____
8. Other Pertinent Information Or Previous Subsurface Information Available:

GENERAL CONDITIONS

- I. PARTIES AND SCOPE OF WORK: Professional Service Industries Inc. ("PSI") shall include said company or its particular division, subsidiary or affiliate performing the work. "Work" means the specific service to be performed by PSI as set forth in PSI's proposal, Client's acceptance thereof and these General Conditions. Additional work ordered by Client shall also be subject to these General Conditions. "Client" refers to the person or business entity ordering the work to be done by PSI. If Client is ordering the work on behalf of another, Client represents and warrants that it is the duly authorized agent of said party for the purpose of ordering and directing said work. Unless otherwise stated in writing, Client assumes sole responsibility for determining whether the quantity and the nature of the work ordered by the client is adequate and sufficient for Client's intended purpose. Client shall communicate these General Conditions to each and every third party to whom Client transmits any part of PSI's work. PSI shall have no duty or obligation to any third party greater than that set forth in PSI's proposal, Client's acceptance thereof and these General Conditions. The ordering of work from PSI, or the reliance on any of PSI's work, shall constitute acceptance of the terms of PSI's proposal and these General Conditions, regardless of the terms of any subsequently issued document.
2. TESTS AND INSPECTIONS: Client shall cause all tests and inspections of the site, materials and work performed by PSI or others to be timely and properly performed in accordance with the plans, specifications and contract documents and PSI's recommendations. No claims for loss, damage or injury shall be brought against PSI by Client or any third party unless all tests and inspections have been so performed and unless PSI's recommendations have been followed. Client agrees to indemnify, defend and hold PSI, its officers, employees and agents harmless from any and all claims, suits, losses, costs and expenses, including, but not limited to, court costs and reasonable attorney's fees in the event that all such tests and inspections are not so performed or PSI's recommendations are not so followed.
3. PREVAILING WAGES: This proposal specifically excludes compliance with any project labor agreement, labor agreement, or other union or apprenticeship requirements. In addition, unless explicitly agreed to in the body of this proposal, this proposal specifically excludes compliance with any state or federal prevailing wage law or associated requirements, including the Davis Bacon Act. Due to the professional nature of its services PSI is generally exempt from the Davis Bacon Act and other prevailing wage schemes. It is agreed that no applicable prevailing wage classification or wage rate has been provided to PSI, and that all wages and cost estimates contained herein are based solely upon standard, non-prevailing wage rates. Should it later be determined by the Owner or any applicable agency that in fact prevailing wage applies, then it is agreed that the contract value of this agreement shall be equitably adjusted to account for such changed circumstance. These exclusions shall survive the completion of the project and shall be merged into any subsequently executed document between the parties, regardless of the terms of such agreement. Client will reimburse, defend, indemnify and hold harmless PSI from and against any liability resulting from a subsequent determination that prevailing wage regulations cover the Project, including all costs, fines and attorney's fees.
4. SCHEDULING OF WORK: The services set forth in PSI's proposal and Client's acceptance will be accomplished by PSI personnel at the prices quoted. If PSI is required to delay commencement of the work or if, upon embarking upon its work, PSI is required to stop or interrupt the progress of its work as a result of changes in the scope of the work requested by Client, to fulfill the requirements of third parties, interruptions in the progress of construction, or other causes beyond the direct reasonable control of PSI, additional charges will be applicable and payable by Client.
5. ACCESS TO SITE: Client will arrange and provide such access to the site and work as is necessary for PSI to perform the work. PSI shall take reasonable measures and precautions to minimize damage to the site and any improvements located thereon as the result of its work or the use of its equipment.
6. CLIENT'S DUTY TO NOTIFY ENGINEER: Client warrants that it has advised PSI of any known or suspected hazardous materials, utility lines and pollutants at any site at which PSI is to do work, and unless PSI has assumed in writing the responsibility of locating subsurface objects, structures, lines or conduits, Client agrees to defend, indemnify and save PSI harmless from all claims, suits, losses, costs and expenses, including reasonable attorney's fees as a result of personal injury, death or property damage occurring with respect to PSI's performance of its work and resulting to or caused by contact with subsurface or latent objects, structures, lines or conduits where the actual or potential presence and location thereof was not revealed to PSI by Client.
7. RESPONSIBILITY: PSI's work shall not include determining, supervising or implementing the means, methods, techniques, sequences or procedures of construction. PSI shall not be responsible for evaluating, reporting or affecting job conditions concerning health, safety or welfare. PSI's work or failure to perform same shall not in any way excuse any contractor, subcontractor or supplier from performance of its work in accordance with the contract documents. Client agrees that it shall require subrogation to be waived against PSI and for PSI to be added as an Additional Insured on all policies of insurance, including any policies required of Client's contractors or subcontractors, covering any construction or development activities to be performed on the project site. PSI has no right or duty to stop the contractor's work.
8. SAMPLE DISPOSAL: Test specimens will be disposed immediately upon completion of the test. All drilling samples will be disposed sixty (60) days after submission of PSI's report.
9. PAYMENT: The quantities and fees provided in this proposal are PSI's estimate based on information provided by Client and PSI's experience on similar projects. The actual total amount due to PSI shall be based on the actual final quantities provided by PSI at the unit rates provided herein. Client shall be invoiced once each month for work performed during the preceding period. Client agrees to pay each invoice within thirty (30) days of its receipt. Client further agrees to pay interest on all amounts invoiced and not paid or objected to for valid cause in writing within said thirty (30) day period at the rate of eighteen (18) percent per annum (or the maximum interest rate permitted under applicable law), until paid. Client agrees to pay PSI's cost of collection of all amounts due and unpaid after thirty (30) days, including court costs and reasonable attorney's fees. PSI shall not be bound by any provision or agreement requiring or providing for arbitration of disputes or controversies arising out of this agreement, any provision wherein PSI waives any rights to a mechanics' lien, or any provision conditioning PSI's right to receive payment for its work upon payment to Client by any third party. These General Conditions are notice, where required, that PSI shall file a lien whenever necessary to collect past due amounts. Failure to make payment within 30 days of invoice shall constitute a release of PSI from any and all claims which Client may have, whether in tort, contract or otherwise, and whether known or unknown at the time.
10. ALLOCATION OF RISK: CLIENT AGREES THAT PSI'S SERVICES WILL NOT SUBJECT PSI'S INDIVIDUAL EMPLOYEES, OFFICERS OR DIRECTORS TO ANY PERSONAL LIABILITY, AND THAT NOTWITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, CLIENT AGREES THAT ITS SOLE AND EXCLUSIVE REMEDY SHALL BE TO DIRECT OR ASSERT ANY CLAIM, DEMAND, OR SUIT ONLY AGAINST PSI. STATEMENTS MADE IN PSI REPORTS ARE OPINIONS BASED UPON ENGINEERING JUDGMENT AND ARE NOT TO BE CONSTRUED AS REPRESENTATIONS OF FACT. SHOULD PSI OR ANY OF ITS EMPLOYEES BE FOUND TO HAVE BEEN NEGLIGENT IN THE PERFORMANCE OF ITS WORK, OR TO HAVE MADE AND BREACHED ANY EXPRESS OR IMPLIED WARRANTY, REPRESENTATION OR CONTRACT, CLIENT, ALL PARTIES CLAIMING THROUGH CLIENT AND ALL PARTIES CLAIMING TO HAVE IN ANY WAY RELIED UPON PSI'S WORK AGREE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE LIABILITY OF PSI, ITS OFFICERS, EMPLOYEES AND AGENTS SHALL BE LIMITED TO \$25,000.00 OR THE TOTAL AMOUNT OF THE FEE PAID TO PSI FOR ITS WORK PERFORMED ON THE PROJECT, WHICHEVER AMOUNT IS GREATER. IN THE EVENT CLIENT IS UNWILLING OR UNABLE TO LIMIT PSI'S LIABILITY IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN THIS PARAGRAPH, CLIENT MAY, UPON WRITTEN REQUEST OF CLIENT RECEIVED WITHIN FIVE DAYS OF CLIENT'S ACCEPTANCE HEREOF, INCREASE THE LIMIT OF PSI'S LIABILITY TO \$250,000.00 OR THE AMOUNT OF PSI'S FEE PAID TO PSI FOR ITS WORK ON THE PROJECT, WHICHEVER IS THE GREATER, BY AGREEING TO PAY PSI A SUM EQUIVALENT TO AN ADDITIONAL AMOUNT OF 5% OF THE TOTAL FEE TO BE CHARGED FOR PSI'S SERVICES. THIS CHARGE IS NOT TO BE CONSTRUED AS BEING A CHARGE FOR INSURANCE OF ANY TYPE, BUT IS INCREASED CONSIDERATION FOR THE GREATER LIABILITY INVOLVED. IN ANY EVENT, ATTORNEY'S FEES EXPENDED BY PSI IN CONNECTION WITH ANY CLAIM SHALL REDUCE THE AMOUNT AVAILABLE, AND ONLY ONE SUCH AMOUNT WILL APPLY TO ANY PROJECT. NO ACTION OR CLAIM, WHETHER IN TORT, CONTRACT, OR OTHERWISE, MAY BE BROUGHT AGAINST PSI, ARISING FROM OR RELATED TO PSI'S WORK, MORE THAN TWO YEARS AFTER THE CESSATION OF PSI'S WORK HEREUNDER, REGARDLESS OF THE DATE OF DISCOVERY OF SUCH CLAIM.
11. INDEMNITY: Subject to the above limitations, PSI agrees not to defend but to indemnify and hold Client harmless from and against any and all claims, suits, costs and expenses including reasonable attorney's fees and court costs to the extent arising out of PSI's negligence as finally determined by a court of law. Client shall provide the same protection to the extent of its negligence. In the event that Client or Client's principal shall bring any suit, cause of action, claim or counterclaim against PSI, the Client and the party initiating such action shall pay to PSI the costs and expenses incurred by PSI to investigate, answer and defend it, including reasonable attorney's and witness fees and court costs to the extent that PSI shall prevail in such suit.
12. TERMINATION: This Agreement may be terminated by either party upon seven days' prior written notice. In the event of termination, PSI shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses.
13. EMPLOYEES/WITNESS FEES: PSI's employees shall not be retained as expert witnesses except by separate, written agreement. Client agrees to pay PSI's legal expenses, administrative costs and fees pursuant to PSI's then current fee schedule for PSI to respond to any subpoena. For a period of one year after the completion of any work performed under this agreement, Client agrees not to solicit, recruit, or hire any PSI employee or person who has been employed by PSI within the previous twelve months. In the event Client desires to hire such an individual, Client agrees that it shall seek the written consent of PSI, and shall pay PSI an amount equal to one-half of the employee's annualized salary, without PSI waiving other remedies it may have.
14. HAZARDOUS MATERIALS: Nothing contained within this agreement shall be construed or interpreted as requiring PSI to assume the status of an owner, operator, generator, storer, transporter, treater or disposal facility as those terms appear within RCRA or within any Federal or State statute or regulation governing the generation, transportation, treatment, storage and disposal of pollutants. Client assumes full responsibility for compliance with the provisions of RCRA and any other Federal or State statute or regulation governing the handling, treatment, storage and disposal of pollutants.
15. CHOICE OF LAW AND EXCLUSIVE VENUE: All claims or disputes arising or relating to this agreement shall be governed by, construed, and enforced in accordance the laws of Illinois. The exclusive venue for all actions or proceedings arising in connection with this agreement shall be either the Circuit Court in DuPage County, Illinois, or the Federal Court for the Northern District of Illinois.
16. PROVISIONS SEVERABLE: The parties have entered into this agreement in good faith, and it is the specific intent of the parties that the terms of these General Conditions be enforced as written. In the event any of the provisions of these General Conditions should be found to be unenforceable, it shall be stricken and the remaining provisions shall be enforceable.
17. ENTIRE AGREEMENT: This agreement constitutes the entire understanding of the parties, and there are no representations, warranties or undertakings made other than as set forth herein. This agreement may be amended, modified or terminated only in writing, signed by each of the parties hereto.



December 19, 2011

VILLAGE ADMINISTRATOR

DEC 21 2011

PLEASANT PRAIRIE

► REQUIRES IMMEDIATE ACTION ◀

Recreational Trails Act

Grant# RTA-477-12

Grant Amount: \$45,000.00

Michael R. Pollocoff, Administrator
Village of Pleasant Prairie
9915 - 39th Ave
Pleasant Prairie, WI 53158

Dear Mr. Pollocoff:

Congratulations! On behalf of the Governor, we are pleased to forward to you a grant agreement for financial assistance for the following project: *Village of Pleasant Prairie - Prairie Farms Trail Development*

Please review the agreement and return the original signed by the authorized official **within 30 days of this letter's date** to Jim Ritchie at the Southeast Region, 2300 N Dr Martin Luther King Jr. Dr, Milwaukee, WI 53212. The second copy is for your file. Funds will be encumbered when the signed agreement is returned. Please read the items checked below. They apply to your project and grant award.

Grant Award Time Period: December 19, 2011 through June 30, 2014. All project activities must occur within this time period to be eligible costs for reimbursement.

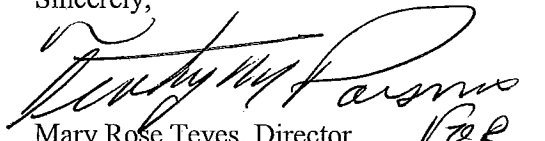
Reimbursement Check: When you submit your claim for reimbursement the check will be mailed to Village of Pleasant Prairie, Michael R. Pollocoff, 9915 - 39th Ave, Pleasant Prairie, WI 53158. This is the check recipient that appears in our records.

Changes to the approved project scope may not be made without prior approval from the Department.

If not enclosed, reimbursement claim forms and/or financial administration information can be found by going to: <http://dnr.wi.gov/org/caer/cfa/Grants/Forms/forms.html>. Please submit reimbursement claim forms for your project to Jim. Feel free to contact Jim at 414-263-8610, if you have any questions about your grant award or the reimbursement procedures. You may be contacted by the Office of the Governor or your state Legislator concerning the issuance of a press release to publicize the grant award. We are pleased to have the opportunity to participate with you on this project.

Thank you for your continuing efforts to enhance recreational opportunities for Wisconsin citizens in our Natural Resources.

Sincerely,


Mary Rose Teves, Director
Bureau of Community Financial Assistance

Enclosure(s)

C: Jim Ritchie – SER

DNR COPY

Notice: Collection of this information is authorized under ss. 23.09(11), 23.09(26), 350.12(4), 23.33, and 30.92, Wis. Stats., and chs. NR 7, NR 50, NR 51, and NR 64, Wis. Admin. Code. Personally identifiable information collected will be used for program administration and may be made available to requesters as required under Wisconsin's Open Records Law [ss.19.31 - 19.39, Wis. Stats].

Grantee/Project Sponsor		Project Number	
Village of Pleasant Prairie		RTA-477-12	
Project Title			
Village of Pleasant Prairie - Prairie Farms Trail Development			
Period Covered by This Agreement		Name of Program	
December 19, 2011 Through June 30, 2014		Recreational Trails Act	
Project Scope and Description of Project			
<p>The Village of Pleasant Prairie will develop a 1.85 mile trail providing expanded off-road access to their Prairie Springs Community Park. When completed, the 14 ft. wide paved trail will provide for hiking, biking, and cross country skiing activities. As part of the overall trail development budget, this project will provide matching assistance for trail construction.</p>			
PROJECT FINANCIAL ASSISTANCE SUMMARY:		The following documents are hereby incorporated into and made part of this agreement:	
Total Project Cost	\$90,000.00	<ol style="list-style-type: none"> 1. <i>Chapter NR 50, Wisconsin Administrative Code</i> 2. <i>Application Dated</i> 	
Cost-Share Percentage	50%		
State Aid Amount	\$45,000.00		
Project Sponsor Share	\$45,000.00		

A. General Conditions:

1. The State of Wisconsin Department of Natural Resources (Department) and the Sponsor mutually agree to perform this agreement in accordance with the Recreational Trails Act and with the project proposal, application, terms, promises, conditions, plans, specifications, estimates, procedures, maps and also any assurances attached and made a part of this agreement.
2. This agreement, together with any referenced parts and attachments, shall constitute the entire agreement and previous communications or agreements pertaining to the subject matter of this agreement are superseded. Any revisions, including cost adjustments, must be made by an amendment to this agreement or other written documentation, signed by both parties, prior to the termination date of the agreement. Time extensions and scope changes to the agreement may be granted to the Sponsor by the Department in writing without the requirements of Sponsor signature.
3. Failure by the sponsor to comply with the terms of this agreement shall not cause the suspension of all obligations of the State if, in the judgment of the Secretary of the Department, such failure was due to no fault of the Sponsor. In such case, any amount required to settle at minimum costs any irrevocable obligations properly incurred shall be eligible for assistance under this agreement, at the Department's discretion.

The Project Sponsor:

4. Agrees to comply with all applicable Wisconsin Statutes and Wisconsin Administrative codes in fulfilling terms of this agreement. In particular, the Sponsor agrees to comply with the provisions of Chapter NR 50, Wis. Adm. Code, as well as comply with all applicable local and state contract and bidding requirements. The sponsor should consult its legal counsel with questions concerning contracts and bidding.
5. May decline the offer of financial assistance provided through this agreement, in writing, at any time prior to the starting of the project and before expending any funds. After the project has been started or funds expended, this agreement may be rescinded, modified, or amended only by mutual agreement in writing.
6. Agrees, to save, keep harmless, defend and indemnify the Department and all its officers, employees and agents, against any and all liability claims, costs of whatever kind and nature, for injury to or death of any person or persons, and for loss or damage to any property (state or other) occurring in connection with or in any way incident to or arising out of the occupancy, use, service, operation or performance of work in connection with this agreement or omissions of Sponsor's employees, agents or representatives.
7. Agrees to reimburse the Department of any and all funds the Department deems appropriate in the event the Sponsor fails to comply with the conditions of this agreement or project proposal as described, or fails to provide public benefits as indicated in the project application, proposal description or this agreement. In addition, should the Sponsor fail to comply with the conditions of this agreement, fail to progress due to non-appropriation of funds, or fail to progress with or complete the project to the satisfaction of the Department, all obligations of the Department under this agreement may be terminated, including further project cost payment.
8. Agrees, in connection with the performance of work under this agreement, not to discriminate against any employee or applicant for employment because of age, race, religion, color, disability, handicap, sex, physical condition, developmental disability as defined in s. 51.01(5), Wis. Status, sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the Sponsor further agrees to take affirmative action to ensure equal employment opportunities, as required by law. The Sponsor agrees to post in conspicuous places available, for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The Department:

9. Promises, in consideration of the covenants and agreements made by the Sponsor, to obligate for the Sponsor the amount of \$45,000.00, and to tender to the Sponsor that portion of the obligation which is required to pay the Department's share of the costs based upon the state providing 50 percent of eligible project costs. The Sponsor promises, in consideration of the promises made by the Department, to execute the project described in accordance with this agreement.
10. Agrees that the Sponsor shall have sole control of the method, hours worked, and time and manner of any performance under this agreement other than as specifically provided in this document. The Department reserves the right only to inspect the job site or premises for the sole purpose of insuring that the performance is progressing or has been completed in compliance with the agreement. The Department takes no responsibility of supervision or direction of the performance of the agreement to be performed by the Sponsor or the Sponsor's employees or agents. The Sponsor is an Independent Contractor for all purposes, not an employee or agent of the Department. The Department further agrees that it will exercise no control over the selection and dismissal of the Sponsor's employees or agents.

B. Special Conditions:

- a. Property acquired or developed with assistance from this program shall not be converted to uses inconsistent with public outdoor recreation without the approval of this Department.

- b. All regulatory permits and approvals, including water and wetland regulatory permits and approvals, required by federal, state or local agencies must be obtained prior to project construction and complied with fully during project construction.
- c. All facilities constructed with assistance from this program must be accessible to persons with disabilities. All facilities developed with these grant funds shall be connected by linkage trails to a main walkway and/or parking lot.
- d. All existing overhead utility services if feasible shall be buried and any new utility services provided through this project must be installed underground.
- e. The sponsor shall implement and maintain proper soil erosion and sediment control best management (BMPs) practices during construction of the project. Erosion and sediment control BMPs shall be accomplished using the guidelines in the Wisconsin Stormwater Technical Standards available via the internet at <http://dnr.wi.gov/runoff/stormwater/techstds.htm> . BMPs shall be properly installed, and maintained to function as intended until the project site is stabilized. All temporary erosion and sediment control practices (e.g. silt fence, etc.) shall be removed once the construction site has undergone final stabilization. Construction sites associated with land disturbing activities over one acre and grading sites of 10,000 sq. ft., or more on the bank of a navigable waterway require an erosion control and stormwater management plan prepared by the sponsor. Construction sites disturbing one or more acres of land require coverage under a construction site stormwater discharge permit prior to commencing any land disturbing construction activity.
- f. In connection with the performance of work under this agreement, the sponsor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01(5), Wis. Stats., sexual orientation, arrest or conviction record or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the sponsor further agrees to take affirmative action to ensure equal employment opportunities.
- g. This grant is funded through a grant from the US Department of Transportation, Federal Highway Administration under the Recreational Trails Program authorized under Section 1112 of the Transportation Efficiency Act for the 21st Century which amended 23 USC 206. This procurement will be subject to regulations set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project. This procurement shall be subject to the regulations contained Section 20.219, Recreational Trails Program, of the Catalog of Federal Domestic Assistance, <http://www.cfda.gov> . The grantee shall maintain the financial information and dated records used in the preparation or support of the cost submission for the grant in effect on the date of execution for this grant until three years after the final voucher has been approved by the Federal Highway Administration. The department, US Department of Transportation, or their agents, or any of their duly authorized representatives, shall have access to such books, records, documents, and other evidence for the purpose of inspection, audit and copying. The grantee shall provide proper facilities for such access and inspection. In addition, they shall have access to all records which relate to any dispute, appeal, or litigation, or the settlement of claims arising out of such performance, or costs or items to which an audit exception has been taken.

The persons signing for the Sponsor represents both personally and as an agent of his or her principal that he or she is authorized to execute this agreement and bind his or her principal, either by a duly adopted resolution or otherwise.

**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
FOR THE SECRETARY**

By _____
(Signature)

By 
Mary Rose Teves, Director
Bureau of Community Financial Assistance

(Title)

(Date)

12-19-2011

(Date)

ORDINANCE #12-02

**ORDINANCE TO AMEND
CHAPTER 292 OF THE MUNICIPAL CODE
VILLAGE OF PLEASANT PRAIRIE,
KENOSHA COUNTY, WISCONSIN
RELATING TO COMPOST DROFF OFF COLLECTION FEES**

BE IT ORDAINED AND ESTABLISHED by the Village Board of Trustees, of the Village of Pleasant Prairie, Kenosha County, Wisconsin that Chapter 292 of the Municipal Code is hereby amended as follows:

§ 292-6. COMPOST DROP OFF COLLECTION.

C. The Village of Pleasant Prairie will accept the following items at the compost drop off site located at 8600 Green Bay Road on the dates and time set forth by the Department of Public Works at the following rates:

(2) Bulk items **\$ 5 10** each

Passed and adopted this 16th day of January, 2012.

VILLAGE OF PLEASANT PRAIRIE

John P. Steinbrink, President

Attest:

Jane M. Romanowski, Clerk

Posted:_____

**CLERK'S CERTIFICATION OF
BARTENDER LICENSE APPLICATIONS
Period Ending: January 10, 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. Timothy A. Kinney | thru June 30, 2013 |
| 2. Ryan P. McCreary | thru June 30, 2013 |

Jane M. Romanowski
Village Clerk