

**VILLAGE OF PLEASANT PRAIRIE  
PLEASANT PRAIRIE VILLAGE BOARD  
PLEASANT PRAIRIE WATER UTILITY  
PLEASANT PRAIRIE SEWER UTILITY  
9915 - 39th Avenue  
Pleasant Prairie, WI  
March 5, 2012  
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, March 5, 2012. 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/Treasurer; Dave Mogensen, Deputy Police Chief; Doug McElmury, Fire and Rescue Chief; Mike Spence, Village Engineer; Carol Willke, Recreation and HR Director; John Steinbrink Jr., Public Works Director; and Jane Romanowski, Village Clerk. Four citizens attended the meeting.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. PUBLIC HEARINGS**

- A. Consider the extension of public water main improvements located in the right-of-way of 9230 and 9243 32nd Avenue and Resolution #12-08 authorizing construction of public improvements and levying special assessments for said project.**

Mike Pollocoff:

Before the hearing, Mr. President, we received a petition requesting the extension of municipal water on 32<sup>nd</sup> Avenue. Water was extended north on 32<sup>nd</sup> from 93<sup>rd</sup>. Currently the water main abuts these properties on the south. We've adopted a preliminary resolution declaring the Village's intent to levy special assessments for the project subject to the hearing and an approved engineering report being submitted tonight. We've notified the abutting property owners of the assessment and provided them with the schedule of what was involved in that, and the Village Engineer will be describing that in some detail shortly.

I do want to state for the record we received through that public inquiry period, which is the whole purpose for sending the notices out, some concerns related to the cost of the project. And inasmuch as it's really not a very big project and not a part of something that's bigger, the projects are higher than what they'd normally be.

In this project upon adoption of the resolution I'm recommending that the project be – that the property owners have the opportunity if they wish to finance the project over a 20 year period rather than the 10 year period that we typically provide for. Historically we have given property owners the opportunity or the option to finance and improvement over a 20 year period rather than a 10 when the assessments have been large and that would be the case with this. We are also

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- the Village Engineer is working with some representatives of the State to see if we can bring in some financial assistance on this project that's typically pretty difficult on water. It's not always done. We tried CDGB and they're not doing it, and I think he's found some other sources that may exist. I think until we have on those projects a firm price and a project that we're going to do, in order to gain some financial assistance we have to have that in place.

The project also is if the Board approved the project to proceed tonight I'm also recommending that we could send out the billing for the payments to be made or the individuals to make a determination this October whether or not they want to pay it in full or finance it over a 20 year period so that come their next tax roll that we see next year the project would be put on the tax roll. I'm recommending similar to what we did on 80<sup>th</sup> where we had, again, some large projects that we put that date off by one year to allow the property owners to set some money aside, secure some financing, make whatever financial arrangements they need to make in order to make this project a little more manageable.

With that, information is somewhat different than some of our previous projects. I'd request that the Village Engineer describe the project in more detail.

Mike Spence:

Thank you, Mike. Mr. President and members of the Village Board, the Engineering Department received the request from the property owners at 9243 32<sup>nd</sup> Avenue a couple months ago to look into the possibility of extending water service on 32<sup>nd</sup> Avenue. The reason for the request is the owners had indicated that their well either was failing or had failed, and they did not want to replace it and wanted to look into the possibility of hooking into the Village's water system.

On the map here the original individuals that requested the extension are on this property here. The existing Village of Pleasant Prairie water system comes up 32<sup>nd</sup> Avenue and stops, of course, south of that property. The project that we're looking at would be extension to the north, this yellow line, and then providing water service to the property at 9243 as well as service to 9230 which is on the west side of the street. And, again, these are the only two properties that would be affected by this project and this assessment.

Basically the assessment looked – we've estimated the cost of the project. We've tried to be reasonable but a little bit conservative hoping that the actual construction costs of the project will come in less. The total estimated project cost is \$28,000. However, the actual assessable – or the total length of water main to be constructed is 145 feet. The assessment rate per assessable front footage is \$96.55 per front foot of property. As a result, the two properties being assessed, the property at 9243 has an assessment of \$9,606.73 because they have 99.5 feet front footage. The property at 9230 has 122 feet of footage. That assessment would be \$11,779.10.

Mike has indicated the possible changes to the way we normally assess it. I just wanted to add he had indicated – I have talked to somebody at the State. I also have another contact at the Wisconsin Economic Development Council. They haven't gotten back to me, but the individual that I'm trying to contact possibly may be a source of some potential grant money, or if not they

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can hopefully direct me to someone that I can further explore that possibility. So I guess with that, that pretty much describes the project.

John Steinbrink:

Okay, thank you, Mike. With that I believe we open the public hearing, is that correct? Jane, you had a signup?

Jane Romanowski:

Yes, we did. Serena Terra.

Serena Terra:

Hi, I'm here to comment on the –

John Steinbrink:

Okay, we just need name and address for the record.

Serena Terra:

I'm sorry, Serena Terra, 9230 32<sup>nd</sup> Avenue.

John Steinbrink:

Okay, thank you.

Serena Terra:

You're welcome. I'm here to comment on the proposed water main extension. And first and foremost I want to thank Mr. Steinbrink and Mr. Pollocoff for having conversations with me and possible ways that they're willing to work with me on the payment should the project be approved. I very much appreciate it. And I appreciate that I will not be required to hook up due to my health condition regarding chlorine.

I want to ask a few more things, too, and some of it has just been sort of discussed here. I was wondering if the Board has discussed the possibility of having the party requesting the water pay a greater proportion of it than myself who does not want and cannot use it. Mr. Pollocoff had also mentioned that he would look into the possibility of a grant or other funding. So hear that's something you were doing to alleviate some of this. It really would be a great financial burden. At this point I usually can make most of my current payments, but this assessment would definitely make me unable to do that and keep up financially. So I'm anxious to know what other options there may be still to help me financially.

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Also I'm wondering at some point soon could I please have a written list of the proposals made for working with me financially. It's frustrating that I don't want the water and cannot use it and yet I'm paying at the present time scheduled to pay about \$2,000 more than the person requesting it. So I appreciate your continued work on it very, very much. Thank you to the people who listened to me, and we're brainstorming to come up with some other ideas. I hope to continue that process. Thank you.

John Steinbrink:

Thank you.

Al Klinkhammer:

I'm Al Klinkhammer. 9243 32<sup>nd</sup> Avenue. I'm the one that requested for the water because I believe my well is starting to collapse, you know. I'm getting sand in the water and stuff like that. We've got enough for you know like showers and stuff like that but we're not drinking it right now, we're using bottled water. So instead of sinking \$8,000 and some odd dollars in the ground for another well, I figure it would be more feasible to go with the Village water on that. It only makes sense financially. And if my well collapsed now, I drill another well, what's to say that ain't because of the ground underneath, you know. So that's the way I'm looking at it for as far as the water goes.

The only one was like the assessment. You got me for 99.5 feet. Okay, you're only bringing it about, what, 70 feet? So do I get at the whole 99.5 or 70 feet?

John Steinbrink:

Mike, you can answer that.

Mike Pollocoff:

I think the best to describe this is if you look at the picture there, and as you correctly indicated the water main that's in yellow, the proposed water main, is going up about half way through your property. And if you were to look to the left to Ms. Terra's property, that's her northern property line.

Al Klinkhammer:

Right, that I understand.

Mike Pollocoff:

So what we do on this is that the property lines seldom jog perfectly across from each other. And one of the rules in the Wisconsin Statute is when we levy a special assessment you levy for the benefit received, and the benefit is the municipal water main, and then once we've done that we're done. We don't come back and assess you again. So if you look at that then the logic

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follows where you see the blue water main ends and then you've got that dashed one going up to your south property line, that property owner was assessed for the entire cost of the water main when that was put in even though it didn't cover the frontage, you're not paying for that, but he made that payment to the Village and we have to hold that. In a way he comes out ahead because that water main was done for less than what it is now because as time goes on it's more expensive. But we only get one opportunity on it. You'll be able to have all the access you want to the water and by having that water main run farther to the north won't give you any more water than you would have by having us run it to where we are going to run it. So we only get to assess once. That's why we don't run the water main any farther than we have to. Because if we went farther then we'd have to not only assess Ms. Terra's property but the property owner to the north of her to get it up so it would be by your property.

Al Klinkhammer:

Right, I was just trying to see your thinking on that as far as coming from this far to that far.

Mike Pollocoff:

Sure. It's an assessing logic that doesn't necessarily make too much common sense.

Al Klinkhammer:

And, you know, I feel for Serena. She's been my neighbor a long time and that, but she brought up that I should pay more than her. Okay, but what's to say in a year her well don't collapse? If one went what's to say the rest aren't going to go sooner or later. It's all in that ground shifting stuff I guess. That's what I was told by the well people. That was my main thing just wondering how the assessment worked. I like to hear that 20 year jobber better than 10, that sounds good, too, you know and that. But you guys will contact us when you figure out how you're going to set up that payment thing?

Mike Pollocoff:

Well, the payment, and I think this is one of the items that Ms. Terra brought up was that she'd like something in writing that says how we're going to do this and that's in the resolution. The Board is going to adopt the resolution that has the effective law that says we are going to extend it by 20 years, that the date when the payment comes due when that's going to start.

[Inaudible From Audience]

Mike Pollocoff:

The practical effect will be in two years so that date will be in the resolution so you'll have that in writing. The thing we can't put in writing yet, because I don't know what to put in writing, is our opportunity to get some grants for both of the –

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Al Klinkhammer:

Now, has this been approved or –

Mike Pollocoff:

What's that?

Al Klinkhammer:

The extension of the water.

Mike Pollocoff:

No, not until the Board conducts a hearing and then they have to deliberate and decide whether or not they're going to do it.

John Steinbrink:

And that's what we're doing here is the hearing right now getting everybody's input into it.

Al Klinkhammer:

Technically as far as water goes I don't know how long I'll have it, you know, per se. Like right now I got it temporarily to where I can do laundry and take showers and stuff like that, but I'm not drinking it because I don't know what it's like. So if it ever comes where – I started out with a 122 foot well, I now have a 90 foot well. So it just keeps, you know, before you know it I won't have no well then I won't have no water at all. And if you guys don't approve this then what have I got left? Drill a well?

Mike Pollocoff:

That would be correct.

Al Klinkhammer:

Yeah, and I can't see the feasibility of punching another hole in the ground for that maybe to collapse. Actually to do that well it's about the same as the Village water. They want \$8,000 and some odd dollars to punch another well. So it's like a gamble. I punch a hole in the ground and pay \$8,000 and some odd dollars, and three years from now, okay, let's punch another well or Village water. The most sensible thing is Village water because the way the ground is now they keep telling me it don't make sense to punch another well. Because it might be ten years, you don't know, I'd be right back in the position I'm in now. You know. And the well's 30 some years old so it did good while it was there. It just decided to start to fill themselves in. Nobody realizes what it's like to have water until you're out of water. That makes a big difference. But

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to answer my question is mainly on the assessment, you know, if that was for the whole thing or just for the part of it. Okay, that's what I needed to know. So when's the next meeting?

Mike Pollocoff:

This is it.

Al Klinkhammer:

Yeah, but I mean about the approval or disapproval.

Mike Pollocoff:

This is it.

John Steinbrink:

This is it after we conclude the public hearing.

Al Klinkhammer:

Oh, okay, so then if you approve or disapprove how long before we're notified?

Michael Serpe:

You'll hear it tonight. Stick around.

Al Klinkhammer:

Oh, okay. Thank you.

Jane Romanowski:

There were no more signups, Mr. President.

John Steinbrink:

Anyone else wishing to speak on this item? If not, I will close the public hearing and open it up to Board comment or question.

Michael Serpe:

A couple questions. Mike, if the project were to proceed who would do the installation?

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Mike Pollocoff:

Mike has prepared some engineer's estimate that hasn't been put out to bid, the numbers, but I'm confident that those numbers are pretty good. We've also prepared numbers in house to have our own crew put it in since it's a relatively small project. They weren't too much different to put it in. But we'll put it in. As you know, whenever we do one of these projects the project can't come in any higher than what the price is we've given tonight, and that ends up being the cap unless we wanted to raise it. If the project comes in less, say it ends up being \$19,000, then that's the amount we assess. So we can only assess what the actual cost is. So right now we're looking at doing this internally.

Michael Serpe:

If you explained it earlier I may have missed it. And the reason for the \$96 a foot is why?

Mike Pollocoff:

It's a small project. You don't have a chance to spread some of those fixed costs around a number of users. So the more linear feet you lay the more you're able to spread that cost around a bigger base. But we've had an ongoing practice where water mains where they're not major distribution mains we've traditionally assessed these projects or extended them based on demand. Sometimes they're small and sometimes they're big.

Michael Serpe:

It's my understanding unless things have changed that even though the water goes past the property the people have to hook up but they could still use their own well for drinking if they wish. They just can't cross-connect the two systems. That's still in effect? The only thing they have to do is get a DNR permit for the well if they're going to maintain it, and that's \$25 for every three years or something like that or whatever it is.

Mike Pollocoff:

Right. And in this project in my discussions with Ms. Terra she's indicated she has an allergy to chlorine. We have a few houses in the Village where we've had to deal with this where we've received a doctor's report indicating the extent of the allergy and that people are not able to come in contact with chlorine. So on those projects we do require that the line comes to the house and that there's a meter placed in the house but it isn't connected. So everything in the house would be off chlorine. But there would have to be an agreement placed on the deed of the house such that when the house is transferred and Ms. Terra didn't live there, then at that point the connection has to take place and the well would be abandoned. But, yeah, we still allow people to keep their outside wells for watering if that's what they want to do, or washing the car or whatever, but they can't cross-connect the main.



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Michael Serpe:

Mike, will a hydrant go in on this project?

Mike Spence:

Yes. Actually in order to try to save costs there was – typically when you have a line that's not connected on both ends we put a hydrant at the end for flushing and maintenance. And there is a hydrant at the end of the existing line. What we will be doing is we'll be moving that to as far north where this project ends.

Michael Serpe:

I think the project is rather expensive, but I also see a need. If a resident is having a failing well, whether it be contaminated or failing, yeah, we can say we're going to deny this and force him to put a well in, another well, and as Mr. Klinkhammer said who's to guarantee that in a year or two years or three years that doesn't collapse as well. And the same thing could be said for Ms. Terra, that well could fail eventually as well also. I like what I heard tonight about the application for grants and some assistance for this project. It would certainly be welcome at this rate. I can see a need. I'm going to support the resolution to extend the water, but at the same time I hope some assistance comes in for these property owners as far as financial is concerned.

Steve Kumorkiewicz:

One of the advantages that we have with this project, too, is if you have a power failure in your house you cannot use your pump. But when you've got municipal water no matter what you are going to have water in your house. We have cases of failing wells in the Village, so it happens more and more. So unfortunately in this short section, as Mr. Pollocoff explained, the costs are going to be larger, but in the long run this is the right move to do.

Mike Pollocoff:

Mr. Chairman, there's one question, I'm sorry, that was left unanswered from Ms. Terra concerning shifting costs between the two property owners on the assessment. And when we made the determination of benefit of how much somebody shares in the cost of the project, on some things you can do a unit cost where everybody pays the same rate, but that's when everybody pretty much has the same size lot. But there's been significant case law on things such as especially municipal water where you can relate the actual benefit to the property based on how many linear feet of pipe you put in the ground in front of your property. So the wider your lot the more water main you have than the smaller.

I think to base it just on taking the two lots and divide it by two, especially when the two lots are as different in size as these two are, although you benefit one and not the other, I think based on the existing precedence and legal decisions and methods that we've done this I wouldn't recommend it. You hope everybody could be the same, but these are older lots, older certified survey map lots and they're just not the same. So we do have to put more pipe in front of one

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than we do the other, and that should not be at the expense of the person that has the smaller lot. That's how we come up with the different one and that's why we didn't assess it on a unit basis.

Michael Serpe:

I know what you're going through here. I went through the same thing 20 years ago. It was a very expensive assessment, and as it turned out one of the best special assessments we've ever had to experience because we had failing wells, and we had problems with the sewer and water at the same time as failing septic. The advantage that Ms. Terra is going to have is that she'll have two water systems on that property, and that in some ways is going to be an advantage. If Klinkhammer's well fails completely he has one system in municipal which is fine, but at least you're going to be able to eventually if you ever get off of the well to keep it for outside use, keep your municipal water for inside use if you so desire. There's a benefit to having two and you'll have that. And the bigger benefit is that you're going to be afforded probably better fire protection at a lower rate on your insurance as well because the hydrant is going to be right in front of your house and that's key, especially if you have a fire, and let's hope that don't happen. I'd move approval of Resolution 12-08.

Steve Kumorkiewicz:

Second.

John Steinbrink:

A motion by Mike, second by Steve for adoption of Resolution 12-08. Is there any further comment or question on this resolution?

**SERPE MOVED TO ADOPT RESOLUTION #12-08 – FINAL RESOLUTION AUTHORIZING CONSTRUCTION OF PUBLIC IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITTED PROPERTY WITH THE CONSTRUCTION OF PUBLIC WATER MAIN IMPROVEMENTS LOCATED IN THE RIGHT-OF-WAY OF 9230 AND 9243 32<sup>ND</sup> AVENUE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

John Steinbrink:

I want to thank everybody for coming out tonight. These are not easy hearings, especially in this time, and we understand financial burden out here, and certain people have certain needs. I want to thank Mike and everybody for working with everybody on this. Hopefully in the end we get everybody to win at this. So thank you for coming out tonight.

**5. CITIZEN COMMENTS**

Dave Mogensen:

Thank you, Mr. President, Village Board members. I just wanted to say a few words about one of our retired employees who recently passed away. Many of you know Jim Klotz. He worked for

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the Village for 20 maybe even more than 20 years. I started as a dispatcher here in 1987, and Jim Klotz was employed here at that time, and he actually helped to train me. And what a lot of people, what the public may not know is that Jim was afflicted with polio during his teenage years, and yet he married his sweetheart of a girlfriend, and they'd been married the entire time.

To say that Jim was an exemplary employee is an understatement because no matter how he felt, he was sick, if things were difficult for him, he still make it into work. And for you and I and most people here, getting up for work to work at seven o'clock you probably get up at five of five thirty in the morning to get ready. Jim Klotz would have to get up at three o'clock or four o'clock in the morning just to get ready with the help of his wife. He was in a wheelchair and very limited mobility. Yet the number one thing in his life, and you could tell, was working. He worked as a dispatcher at first, and then he was moved to the assistant court clerk position and still worked out of the Prange Center, and he was there every day. And if Jim Klotz was ever in a bad mood you would never know it. He always had a smile on his face. He always had a joke to tell, and he never had a bad word to say about anybody, never.

There's one bad thing I have to say about Jim and that was that he was a Chicago Bears and a Chicago Cubs fan. But he sure got a lot of ribbing about it, and he took it in stride and the battles took place. But he passed away this past Saturday. He was hospitalized with some complications and things went downhill very fast. I visited him in the hospital on Thursday and spoke to his wife, and she's obviously devastated because obviously she was a big part of his life and had to take very good care of him around the clock. She did say, though, that after Jim retired, I believe it was in the year 2009, 2008, he was bored. He'd sit at home and his day was waking up, watching TV, maybe going on the internet a little bit. But she could definitely tell there was a difference, he was a different personality. He was just bored. So work meant a lot to him.

And in my opinion if there were more people like Jim Klotz in this world I think the world would be a better place. I just had to come forward and let you guys know that he was appreciated and loved by everybody at the facility, and we're going to miss him. But may he rest in peace. Thank you.

John Steinbrink:

Thank you, David.

Jane Romanowski:

No other signups, Mr. President.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? And I think maybe when we get to Board member comments we may had something to that about Jim. Because the Village is kind of a big family, especially you guys over there at the PD and the rescue. Jim was a big part of all of our lives and somebody special. If not, Mike?

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Mike Pollocoff:

I would just add Jim was an exemplar public employee. For the beating public employees have taken over the last couple years, people say those things that never met Jim Klotz. He was as good as it can get and a good role model for all of us. We lost a really good one. Other than that, Mr. President, I have nothing.

John Steinbrink:

Thank you, Mike.

**6. ADMINISTRATOR'S REPORT – None.**

**7. NEW BUSINESS**

**A. Consider Resolution #12-09 - Preliminary Resolution declaring intent to exercise special assessment police powers in connection with the construction of public storm sewer improvements located in a new easement located to the rear of the properties east of 48th Avenue in the Devonshire Subdivision.**

Mike Spence:

Mr. President and members of the Board, this resolution before you this evening is to start the process of looking into a plan to address some storm water drainage issues in the area that's on the east side of the Devonshire Subdivision just east of 48<sup>th</sup> Avenue. This project was precipitated by a number of concerns by residents in the Devonshire Subdivision. And what's transpired is originally when both of the subdivisions were developed there's a tree conservation easement that is in between the Devonshire and the Meadowdale Subdivisions here. The original engineering plan that was put together called for that area to be basically a drainage area with drainage going to the south, and then ultimately it goes through a storm sewer and gets into the Meadowdale Subdivision drainage system.

What we found over the years is that this dedicated tree conservation easement really does not drain very well and the way to correct that would be to put some positive drainage from the back of these properties to the south. And so what we're looking at is the possibility of either – it looks like there's very little relief, so it would probably be a combination of a storm sewer and a drainage swale to get the water to the south and to the drainage system.

So the resolution that you have before you tonight is to direct the engineering department to put together a final plan and come up with an assessment cost to move this project forward. The assessment would be generally located on these properties in Devonshire to where this red area is. At this point it looks probably four or five properties that might be assessed. So with that, I'd entertain any questions.

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Michael Serpe:

A couple things, Mike. Are there any houses built on any of those lots as of yet?

Mike Spence:

There is not. There is one house that's under construction. It's Lot 28 I believe. These lots are privately owned. What we would have to do as this project we'd also be looking at getting an easement to allow us to put in the drainage facilities, have a permanent easement and most likely a construction easement as well. But one of the developers is looking to develop Lot 27, so they're anxious to move forward. And part of the problem that we're looking at possibly putting in a pipe rather than just the drainage is that a couple of these houses were built with walk out basement, and there wouldn't be much backyard to try to do the drainage. So we're trying to really address these issues, and that's what this is all about.

Michael Serpe:

Who engineered the original, MasterCraft?

Mike Spence:

The original plan was developed I think by Losik Engineering – or the engineer that did this is no longer in business.

Michael Serpe:

I can see why. What do you think the project is going to cost, Mike? I'm not going to hold you to anything, ballpark.

Mike Spence:

We've looked at a number of options from grading to putting in a pipe. It's probably going to be in the neighborhood of \$30,000 or so.

Michael Serpe:

\$7,000 apiece?

Mike Spence:

Potentially, yes.

Michael Serpe:

I understand why it needs to be done because in Meadowdale Estates people are complaining about water flowing onto their property if I'm not mistaken.

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Mike Spence:

That is correct.

Michael Serpe:

But at the same time we don't have any recourse on any past engineering on this, do we?

Mike Spence:

Not to my knowledge. Like I said, they're out of business.

Mike Pollocoff:

They're out of business, the developer is out of business.

Mike Spence:

And actually the developers for both subdivisions.

Mike Pollocoff:

I think the special assessment brings us back to where we would have been otherwise I guess. Maybe it could have been done a little less expensively if it had been part of the original design. But the engineer didn't get it in there. The intent of the land division ordinance and the Village's assessment practices has been that new development pays its own way. So had all things been equal this would have been done in the first instance. The only difference is now instead of being spread across all the lots in the subdivision it's being placed on these four lots.

Michael Serpe:

So all we're going to do tonight is approve the resolution and set it for public hearing, is that right?

Mike Pollocoff:

Yes.

Michael Serpe:

So moved.

Clyde Allen:

Second.

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John Steinbrink:

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

Steve Kumorkiewicz:

Question for Mike. Rather than put pipes to drain that, a swale would be enough for that? Because stood on top of that several times I went over there, and I wonder if the swale going back to the south to that pond –

Mike Spence:

We're looking at a combination. The part of the problem, Steve, is that the grade is so flat. Even if we can grade it for a swale it's less than the recommended slope that you normally want to have over a vegetated area to actually get the water to move. So the last thing that we want to have happen is to put in a swale and not have it drain. So the other thing, too, is to get the right grade for the swale I'm concerned about getting too far back into the peoples' backyards as far as their usable backyard area. So it's possible that we will have part of a swale on the very upstream end of where we're trying to drain, but we really think that if we put in a pipe it allows more usable area of the backyard.

Steve Kumorkiewicz:

What size of pipe?

Michael Serpe:

I think it was 20 or 15 inches I believe.

John Steinbrink:

Okay, we have a motion and a second.

**SERPE MOVED TO ADOPT RESOLUTION #12-09 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS IN CONNECTION WITH THE CONSTRUCTION OF PUBLIC STORM SEWER IMPROVEMENTS LOCATED IN A NEW EASEMENT LOCATED TO THE REAR OF THE PROPERTIES EAST OF 48TH AVENUE IN THE DEVONSHIRE SUBDIVISION; SECONDED BY ALLEN; MOTION CARRIED 5-0.**

**B. Consider Resolution #12-10 accepting the public street, infrastructure, landscaping and lighting improvements for the Woodfield Estates Subdivision located at 40<sup>th</sup> Avenue and 110<sup>th</sup> Street west of 39<sup>th</sup> Avenue**

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Mike Spence:

Mr. President and members of the Board, this resolution before you is to accept the final infrastructure improvements for the Woodfield Estates Subdivision which is located just west of 39<sup>th</sup> Avenue or EZ off of 110<sup>th</sup> Street, and it's 40<sup>th</sup> Avenue there. The public improvements that we'd be accepting tonight include water main, sanitary sewer. There's an outlot with a storm water pond. There is some landscaping associated with that. Also, a street light that's part of the subdivision, and the road improvements as well. So basically we're looking to accept all these improvements this evening.

Monica Yuhas:

Motion to approve Resolution 12-10.

Steve Kumorkiewicz:

I second that.

John Steinbrink:

Motion by Monica, second by Steve for adoption of Resolution 12-10. Any further discussion?

Steve Kumorkiewicz:

There used to be a problem over there with the outlet that's right on the corner because the person who did this project [inaudible]. Are they going to take care of the outlet?

Mike Pollocoff:

That's part of their covenants.

Mike Spence:

It's part of the developer's agreement and the covenants.

Steve Kumorkiewicz:

Okay.

John Steinbrink:

We have a motion and a second for approval.



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**YUHAS MOVED TO ADOPT RESOLUTION #12-10 ACCEPTING THE PUBLIC STREET, INFRASTRUCTURE, LANDSCAPING AND LIGHTING IMPROVEMENTS FOR THE WOODFIELD ESTATES SUBDIVISION LOCATED AT 40TH AVENUE AND 110<sup>TH</sup> STREET WEST OF 39TH AVENUE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**C. Consider an Award of Contract for HVAC Services for various Village of Pleasant Prairie Buildings/Facilities.**

Tom Shircel:

Thank you, Mr. President and Village Trustees. The Village current contracts with several different providers to service and maintain Village HVAC facilities. So on February 3, 2012 the Village released RFP 12-01 entitled Heating, Ventilation and Air Conditioning Services for Various Village of Pleasant Prairie Buildings in an effort to consolidate those services to one firm. Pursuant to the RFP, the responses were to provide a proposal to the Village for HVAC services to service these various buildings. Those services would include such things as equipment installations, renovations, remodels, repairs, preventative maintenance and the general maintenance of the existing facilities.

The Village facilities to be serviced under that contract would be as follows and is shown on the screen. The Village Hall and Fire Department Number 1, Fire and Rescue Department Number 2, the RecPlex, Roger Prange Building, Baby-U, the Wruck Beach Pavilion and lift stations and booster stations. In response to the RFP the Village did receive six responses. Those are from AccuTemp of Kenosha, the Grunau Company in Oak Creek, Illingworth-Kilgust Milwaukee, Lee Plumbing Kenosha, Martin Petersen Company Kenosha and United Mechanical in Racine. And there's a chart on the screen that you can see which lists all the attributes of the responses, the company firm, location, their rate, their work rates per hour, equipment/material markup, response time, subcontractor and warranty parts and labor. And you can see that the Village basically in the second column received bids ranging anywhere from \$14,000 up to \$129,000.

So after the staff made an internal review of all of those six submittals, we came up with a recommendation for Martin Petersen Corporation. The reasons being, as listed on the screen, Martin Petersen has previous experience with and understanding and familiarity with the Village buildings; the Village staff has been satisfied with the experience and capabilities of the Martin Petersen technicians; Martin Petersen offers the lowest service response times for both standard and emergency service; Martin Petersen offers a one year warranty on materials and labor; they offer a low ten percent markup on equipment and materials from wholesale rates. And, finally, under current contracts with Martin Petersen, Martin Petersen charges the Village the same rate for regular service hours, that being from 8 a.m. to 5 p.m. as it does for emergency and holiday and overtime hours as well. And indications from Martin Petersen is that they will continue to do so with a new contract.

Finally, the Village staff recommends that the Village Board award a base contract to the Martin Petersen Company in the amount of \$45,130 for the provision of these HVAC services, with the caveat that the Village Administrator is further authorized to execute necessary and reasonable

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additions or subtractions to this contract for fees, expenses or additional work and/or for service requests. And with that I'll hand it back to the Board, and I'll be happy to answer any questions.

Michael Serpe:

The reason Lee Plumbing is being not recommended is for what?

Tom Shircel:

Let me go back to that slide. Oh, Lee Plumbing they had the low bid of \$14,000. They did not bid on the RecPlex on the pool, the geothermal system and so on and so forth. And the reason was that Lee Plumbing is unable to provide a proposal for the RecPlex, IcePlex and Aqua Arena due to the specialty license requirements to work on existing ammonia systems.

Michael Serpe:

Alright, okay, thank you.

John Steinbrink:

Would there have been a savings to us by splitting this up differently?

Mike Pollocoff:

That's what we're doing now and we're not seeing it. Basically Martin Petersen is doing RecPlex and Village Hall, and they're doing public works but they're not doing the other buildings.

Tom Shircel:

I think Lee Plumbing does Fire Station Number 2 currently as well.

John Steinbrink:

We need a motion.

Clyde Allen:

So moved.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Clyde, second by Monica. Further discussion?

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**ALLEN MOVED TO AWARD A TWO-YEAR CONTRACT FOR HVAC SERVICES FOR VARIOUS VILLAGE OF PLEASANT PRAIRIE BUILDINGS/FACILITIES TO MARTIN PETERSEN IN AN AMOUNT NOT TO EXCEED \$45,130 SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY YUHAS; MOTION CARRIED 5-0.**

**D. Consider renewal of an Animal Control Agreement with Clawz and Pawz.**

Mike Pollocoff:

Mr. Chairman, we have our annual agreement with Clawz and Pawz who performs our animal control services. I'm recommending that the agreement be approved as presented.

Monica Yuhas:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Monica, second by Steve. Comment or question, Steve?

Steve Kumorkiewicz:

Yes, I've got a question. If I recall correct, we used to pay a fee for each animal they catch, right, the fee that we used to pay?

Mike Pollocoff:

Yes, but it's been a while since we've paid that.

Steve Kumorkiewicz:

When we went to [inaudible].

Mike Pollocoff:

I can't recall. This agreement has been in place for probably –

Steve Kumorkiewicz:

Several years now.

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Mike Pollocoff:

Yeah, it was before that.

Steve Kumorkiewicz:

Okay, but it's going to be separate with the Human Society, actually two separate contracts?

Mike Pollocoff:

Right, this contractor just gets the dogs.

Steve Kumorkiewicz:

Okay.

Michael Serpe:

How much are we paying every year to animal control about?

Mike Pollocoff:

I think it's about \$30,000 or \$32,000?

[Inaudible Audience Comment]

Michael Serpe:

How much?

Mike Pollocoff:

\$16,000 to \$20,000.

Michael Serpe:

\$16,000 to \$20,000. Just a thought, and this is fine for right now but just something for the future, community service officer could probably absorb some of this cost and he works at our discretion to do other things on behalf of the police department as well. Maybe it would be something to look at in the future that we can get multiple uses out of this person including animal control.

Mike Pollocoff:

Right. That's a good idea.

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John Steinbrink:

Okay, we have a motion and a second. Any other comment or question?

**YUHAS MOVED TO RENEW THE ANIMAL CONTROL AGREEMENT WITH CLAWZ AND PAWZ FOR 2012; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**E. Consider Ordinance #12-12 to amend Chapter 242 of the Municipal Code relating to LakeView RecPlex fees.**

Carol Willke:

Mr. President and members of the Board, what you have before you is the result of an annual programs audit that we do at the RecPlex basically making sure that our programs are paying for themselves and covering all the cost. So we have gone through all the programs, made some recommendation to increase fees pretty minimally across the Board. There's really not a whole of the programs being affected. We did increase the trial membership only because we did not do that when we increased the membership general rates last year. And then as you go through this you can see that there's just some minor changes to some of the programs. We are cognizant of the fact that people are having a little bit of a struggle financially so we kept them to a minimum. The staff and the Recreation Commission recommend that you approve the changes.

Michael Serpe:

So moved.

Monica Yuhas:

Second.

John Steinbrink:

Motion by Mike, second by Monica. Further discussion?

**SERPE MOVED TO ADOPT ORDINANCE #12-12 TO AMEND CHAPTER 242 OF THE MUNICIPAL CODE RELATING TO LAKEVIEW RECPLEX FEES; SECONDED BY YUHAS; MOTION CARRIED 5-0.**

## **8. VILLAGE BOARD COMMENTS**

Michael Serpe:

I'm not going to beat a dead horse, but I'm going to come to that for one of our Commission members who was under a lot of fire in the last couple weeks. And it's unfortunate that it had to come and make this man look like he's lesser of a person, and I refer to Dino Laurenzi who is a standup guy as I've ever met in my life. Unfortunately, we had major league baseball players and

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sports players getting paid millions and millions of dollars to play a sport, and when the focus is on them they somehow turn it to another person and it's never their own fault. And the case here was Ryan Braun.

I collected a lot of evidence in my 28 years as a police officer, and something like this that the evidence collected was not tampered with, was not in any way, shape or form change, it's a shame that Dino had to be in the national spotlight as if he did something criminal or something dastardly wrong. Not speaking for the entire Board, but I'm sure you'll all agree that I support Dino Laurenzi 100 percent. The man is a standup figure, an honest individual with integrity and definitely not deserving of the criticism that he's received from a certain player from the Milwaukee Brewers.

Clyde Allen:

Mike, thank you. I, too, was going to – I'll keep it brief because I was going to mention the same topic. I know Dino Laurenzi from church as well as serving with him on the Village Recreation Commission. I'm proud to call Dino a friend and have the utmost respect for him and consider him the consummate professional with unquestionable integrity. I just want to go on the record to show support for Mr. Laurenzi, and I'm disgusted with the scrutiny that he has had to go under. Thank you.

Steve Kumorkiewicz:

I've known Dino Laurenzi's family for at least 46 or 47 years. [Inaudible] in the City when he had the pharmacy on 22<sup>nd</sup> Avenue and south 75<sup>th</sup> Street. Personal integrity, a family that you could trust, well recognized in the community, well [inaudible] honesty, and it's unbelievable what they're doing to the reputation of a person. It's incredible. It's a shame because Dino or his family don't deserve that. Clyde, you're right, there's not to much to add to that. But we support 100 percent Dino, 110 percent.

John Steinbrink:

I just want to echo Mike and everybody's response on Dino. I think would it be okay to put this in a resolution form from the Board?

Mike Pollocoff:

Sure.

Michael Serpe:

Good idea.

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John Steinbrink:

Anybody that knows Dino knows this, but unfortunately there are a lot of people that don't know Dino, and my jaw dropped to the ground when I was listening to the commentary on this. Wow, they just turned Dino into a politician or a lawyer. Whatever it is they made him one of those evil guys out there and that's not Dino. So I've got to echo that.

Then going back to Jim Klotz, I think we all know Jim and everybody knows Jim. I don't think the man had a mean, bad bone in his body. And to know him and to know what he went through, as Dave said, his work was his life. The man looked forward to going to work. He didn't want to be a burden on society, he didn't want to be a burden on his family, and he made every day count. I think that's something we should really admire in somebody, and that's what I admire in Jim. I know we're all going to miss him. I want to thank everybody for their comments on that. Mike?

Michael Serpe:

Dave, is that four until eight tomorrow?

Dave Mogensen:

It's five to eight p.m. [Inaudible]

Michael Serpe:

Okay, that's good, thank you. Yup, he will be missed, I agree with you.

## **9. ADJOURNMENT**

**YUHAS MOVE TO ADJOURN THE MEETING; SECONDED BY ALLEN; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7 P.M.**