

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
September 17, 2018
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, September 17, 2018. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Dave Klimisch, Mike Pollocoff and Mike Serpe. Also present were Nathan Thiel, Village Administrator; Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; David Smetana, Chief of Police; Craig Roepke, Chief of Fire & Rescue; Matt Fineour, Village Engineer; John Steinbrink, Jr., Public Works Director; Sandro Perez, Inspection Superintendent; Dan Honore', IT Director; Carol Willke, Human Resources Director; Craig Anderson, Recreation Director; and Jane Snell, Village Clerk. One citizen attended the meeting.

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

John Steinbrink:

Before we do Item 4, just a note that Item 5 is actually not a public hearing this evening. It will be the first thing under New Business under Item 8. So there is no public hearing, it would be 5A under New Business.

- 4. MINUTES OF MEETING - AUGUST 20, 2018**

Mike Pollocoff:

I move approval.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second. Any additions, correct? Those in favor?

Voices:

Aye.

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John Steinbrink:

Opposed? So carries.

**POLLOCOFF MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD
REGULAR AND/OR SPECIAL MEETINGS OF MONTH, DAY, YEAR AS PRESENTED IN
THEIR WRITTEN FORM; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

6. CITIZEN COMMENTS

Jane Snell:

Mr. President, there were no signups this evening.

John Steinbrink:

Anyone wishing to speak under citizens' comments? Hearing none I'll close citizens' comments.

7. ADMINISTRATOR'S REPORT

Nathan Thiel:

Village Board, the only thing that I wanted to present or just inform you on is just an update on the Visitors and Conventions Bureau or the Convention and Visitors Bureau for Pleasant Prairie. We do have an Executive Director that has been hired. We are also in the process right now of producing a branding, and we've contracted with Dooley & Associates to assist us with that. And I just wanted to give you kind of an update on that that we're in that process.

Also, as kind of a supplementary project I'm having Dooley & Associates also review or evaluate our branding for the RecPlex. We have three different brands that are kind of being utilized, both the Village brand and the current RecPlex brand, and then there's also the new brand that the Village Board had approved last year. And so they're going to be doing a small project just to re-evaluate that. And I'll bring that to your attention. But things are going well.

And, Mike, I don't know if you want to add anything as far as the last meeting we had, kind of a white board session with Dooley & Associates to review the tourism aspect of the Village. And we're really excited with the Executive Director being on board. In fact, we are going to be transferring the funds that have been in under the Village purview into a bank account for the actual Pleasant Prairie Convention and Visitors Bureau.

Mike Pollocoff:

It was a good session we had. The new Executive Director, Michelle Williamson, is a very sharp person. I think she'll do a really good job for the Village. I think that the Tourism Commission is doing a good job with your leadership getting them focused on getting this thing up and running. So we'll be doing really well.

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Nathan Thiel:

And that's all I have to report.

John Steinbrink:

Just a suggestion, maybe we can go with the brand having that Village grass and a winding river road, because that seems to be a very popular road in the Village.

Nathan Thiel:

I'll take that into consideration.

8. NEW BUSINESS

5A. Consider Preliminary Resolution #18-29 to exercise special assessment powers for the Water Main Improvements along 22nd Avenue and 91st Street, extending south 475 feet along 22nd Avenue.

Matt Fineour:

Thank you, Mr. President, and members of the Board. This is a preliminary resolution just declaring the intent to exercise special assessment police powers associated with the water main extension along 22nd Avenue that's going to be installed as part of the Eva Manor development. The water main is required to be extended from 91st Avenue south through their full extent of their property. And then there was a request by the property owners to the south, Mr. and Mrs. Mullins, to extend the water main a little bit further so they could get water services as well.

The preliminary resolution basically sets for the Village Engineer to prepare a report to include the preliminary plans and specifications, an estimate of the entire cost of the proposed improvements and a schedule of the proposed assessments. If the Board approves this resolution tonight I have gone ahead and prepared that report, and we will be setting a public hearing for this assessment on October 15th, at the Board meeting on October 15th. With that if there's any questions I'd be happy to answer them.

But the preliminary assessment we're looking at four properties being affected by this project. The assessment is a combination of right of recovery from the developer or Eva Manor or the water main that they're extending along their property they get a right of recovery. And then there is a special assessment for a little bit on the Mullins' property and one other property that's going to be a Village special assessment. But we can go into detail on that on October 15th.

Michael Serpe:

Matt, before we take a vote on a related item is there anything going to be done with the intersection on 91st and 22nd on the south shoulder just east of 22nd Avenue?

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Matt Fineour:

There is a right turn lane. I don't think there's any intersection improvements. There was a TIA done for that intersection, and it came out that the intersection is not warranted for any improvements.

Michael Serpe:

Move approval of 18-29.

Dave Klimisch:

Second.

John Steinbrink:

We have a motion and a second for adoption of Resolution 18-29. Further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO APPROVE PRELIMINARY RESOLUTION #18-29 TO EXERCISE SPECIAL ASSESSMENT POWERS FOR THE WATER MAIN IMPROVEMENTS ALONG 22ND AVENUE AND 91ST STREET, EXTENDING SOUTH 475 FEET ALONG 22ND AVENUE; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

- A. Receive Plan Commission Recommendation and consider Certified Survey Map to subdivide the property located at 9109 River Road to create a 5-acre parcel to construct a single family home.**

John Steinbrink:

And you want to take B with that?

Jean Werbie-Harris:

B and C.

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- B. Receive Plan Commission Recommendation and consider Ordinance #18-40 for a Comprehensive Plan Amendment to update Village of Pleasant Prairie, 2035 Comprehensive Land Use Plan Map 9.9 as it relates to property known as 9109 River Road.**
- C. Receive Plan Commission Recommendation and consider Ordinance #18-41 for a Zoning Map Amendment to rezone the field delineated wetlands area on a portion of the property known as 9109 River Road.**

Jean Werbie-Harris:

Mr. President and members of the Board, we have three requests this evening from Craig and Christine Miller on behalf of the Christiansen Trust Oliver and Patricia Christiansen. They're requesting to subdivide their property located at 9109 River Road. The purpose is to create a single five acre property for the construction of a single family home. The three requests they have before you are the Certified Survey Map, the Comprehensive Plan Amendment and the Zoning Map Amendment.

A variance was conditionally approved by the Village Board on January 15, 2018, and this was to allow for the subdivision of this five acre parcel on River Road for the construction of a single family home without the extension of connections to municipal sanitary sewer. Municipal sanitary sewer is nearby but a considerable distance away due to the cost to extend the improvement and the fact that it probably would never come down 114th Avenue. The Board had granted a variance to that requirement to allow the Certified Survey Map to move forward.

So the first item this evening is that Certified Survey Map to create a five acre parcel on the east side of River Road at 9109. The zoning of the property is a mixture. It has A-3 which is an Agricultural District, C-1 which is a Lowland Resource Conservancy District and a Floodplain Overlay District for a portion of the property as you can see on the slide. The lot size is five acres, and the lot frontage would be over 400 feet in area along the road.

There are some wetland areas that were delineated on the property back in May of 2018. And this was an assured wetland delineator that delineated these four wetlands. Obviously there will be no construction or earth movement within these wetland areas. As part of the processing of the request a Village Comprehensive Land Use Plan Map and a Zoning Map will need to be amended as part of their request this evening also to correctly show the wetlands within the appropriate land use designation as part of the Comprehensive Plan as well as in the correct zoning district. Again, the wetlands will be placed in the C-1 District, and the 100-year floodplain will remain untouched.

So the petitioner then has three requests this evening. One is the approval of the Certified Survey Map. And all of the language that we had talked about that needed to be added to the Certified Survey Map with respect to dedication and easement restrictions that language has been prepared by their surveyor. The second item is the Comprehensive Plan Amendment which is Ordinance 18-40. And then the third item is the Zoning Map Amendment, and that's Ordinance 18-41. The

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Plan Commission held a public hearing regarding these three items and recommended approval as presented.

Mike Pollocoff:

Mr. President, I recommend that the Certified Survey Map be approved as presented.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second for adoption of the Certified Survey Map. Any discussion?

Jean Werbie-Harris:

Mr. President, I do have one question if I could address the petitioner. There is area between this Certified Survey Map Lot 1 and the parcel to the south. Is there a reason that that gap was left there? Is it to just gain access to all of the land adjacent closer to the river?

John Steinbrink:

You want to just come up and give us your name and address for the record?

Craig Miller:

My name is Craig Miller. That was put there with a request from the property owner to the south for unknown reasons that there be a separation. We originally had it mapped out for the parcels to touch. And they had put in a request to me to have a space in between there with an unknown reason. And we were still able to make that adjustment and meet the criteria.

Jean Werbie-Harris:

Is that a family member?

Craig Miller:

It is, yes. For future development, I apologize. He said for future development, that's correct. So he wanted, and I believe at the time, I'm trying to think back, it was quite a while ago, he wanted to be able to have access to the back side of his property if needed. He thought that if the property was touching, that's correct, that they would not allow for access behind his property.

Jean Werbie-Harris:

I mean he know he can't put a single family home back there?

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Craig Miller:

Correct. And I explained that all to him. And prior to me having the map redone I had the discussion with him that I had stopped in and talked to your facilities and let them know that there would be no further development allowed back there and that we couldn't have any access back there that would change anything where they could build anything or do anything. But he still requested that it be there. So to appease that request we just moved the lot over knowing that we would still have the room to meet the other criterias.

John Steinbrink:

Is that considered an easement?

Craig Miller:

It would still be a slice of property that would belong to 9109 River Road. It wouldn't change and become anyone else's property. It would still be a piece of their property.

John Steinbrink:

So it creates a property from being landlocked then?

Craig Miller:

Well, he had at one point come in and changed his property line to build a second garage on the property. And when he did that he had stated to me that he did not move the property over far enough to be able to put a driveway past the side of his garage which I stated that I didn't know anything about that. And when I came in and had requested information on the distance between that would be needed if he ever wanted to do that I came up with this number with conversations here and just went ahead and put that in to appease his request. But there was discussions and quite a few of them about there cannot be any other development. And the land use behind there doesn't equate to any future development. So it was done with his request. The initial plan had them touching.

Kris Keckler:

This is a concern that there's going to be a future conflict? This is allowable, it's just not common, right?

Jean Werbie-Harris:

It's not common, and so I'm just trying to -- the property owner to the south owns that land?

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Craig Miller:

Yeah, so right to our south there, right, exactly. There's a separate one acre parcel that's there that's owned by the property owner that requested this.

Jean Werbie-Harris:

Okay, so it will be retained --

Craig Miller:

I know his name if you want his [inaudible]. But Michael Christiansen owns the property to the south. He's the one who had requested that there be a spacing in there for access behind his garage to the property behind him that he doesn't currently own.

Jean Werbie-Harris:

So Michael Christiansen that will be his, that strip is --

Craig Miller:

No, it would not be his. It would still belong to Oliver Christiansen, Oliver and Patricia Christiansen which are the owners of 9109 River Road. They would still own that strip of property between there.

Mike Pollocoff:

If the property owners are fine with it --

Kris Keckler:

Make conditional approval just as long as you want to double check with them all?

Jean Werbie-Harris:

I was just kind of curious because I didn't recall seeing that the first time. And so that's why I was just kind of curious as to why it was being done that way. We don't typically create flagship lots. So as long as it's maybe an access to the back but they know that they can't build anything back there unless it wraps around and it attaches to the property to the south.

Craig Miller:

Yeah, I had the conversations here with your staff and made sure that all the regulations we were following were correct. And that if we were to move it over that we would still meet the requirements on our end which we did. And then I had conversations with Michael as well tell him what you had stated as far as where we could move it if he had wanted to. It was his request.

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He had stopped in here at one point and asked about it as well. But I wanted to make sure I was following your regulations. So when we stopped in and went over we came up with number to put the spacing in there, although the property will still belong to 9109 River Road. It will not change hands.

Nathan Thiel:

So to the Village Board I think the only real concern is that are we setting ourselves up for a question or a future inquiry or a desire to build something in the back.

Craig Miller:

What I do know is the property currently, the 9109 is owned by my grandparents, Oliver and Patricia Christiansen. The other property which is the owner who had asked for me to make the change is Michael Christiansen who is their grandson, and then I'm a grandson as well. So it's a family lot that we're separating, and he just wanted to have access without going through my property to the back side of his property for future use. What that future use is or what his plans are I don't know. But I make it clear to him that this parcel that we're separating has very specific requirements to meet the criteria. Therefore, it's very unlikely that anything could go behind him. But he wanted to be able to drive a vehicle back there behind his garage.

John Steinbrink:

And the surveyors had no problem doing this?

Craig Miller:

They were able to move the lot line and meet the requirements without any issues, correct.

John Steinbrink:

So we'll chalk it up to as a River Road thing and leave it?

Craig Miller:

It seems that way, yes.

Jean Werbie-Harris:

Okay.

John Steinbrink:

I think the terminology is you don't ask questions on River Road and then you just --

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Jean Werbie-Harris:

If it was a separate lot there wouldn't be enough width in order to build anything back there. And so if it's just a driveway to get around to the garage that's in the back then that shouldn't be an issue.

John Steinbrink:

It's giving him access to the back parcel.

Jean Werbie-Harris:

Correct.

Craig Miller:

He knew that currently the way that it was laid out with the lot lines touching that he would have to drive over my property to get to the back of his garage which I was fine with. But he wanted a space between there so he could drive over his grandfather's property.

Mike Pollocoff:

I'll leave my motion intact.

John Steinbrink:

We had a motion and a second. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries. Thank you.

Michael Serpe:

Move approval of 18-40.

Kris Keckler:

Second.

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John Steinbrink:

Motion and second for approval of Ordinance 18-40. Any discussion on this item? Roll call vote is requested.

Jane Snell:

Mike Serpe?

Michael Serpe:

Aye.

Dave Klimisch:

Aye.

Mike Pollocoff:

Aye.

Kris Keckler:

Aye.

John Steinbrink:

Aye.

Kris Keckler:

Move approval of Ordinance 18-41.

Dave Klimisch:

Second.

John Steinbrink:

Motion and second for adoption of Ordinance 18-41. Further discussion? Those in favor?

Voices:

Aye.

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John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO APPROVE AS PRESENTED THE CERTIFIED SURVEY MAP TO SUBDIVIDE THE PROPERTY LOCATED AT 9109 RIVER ROAD TO CREATE A 5-ACRE PARCEL TO CONSTRUCT A SINGLE FAMILY HOME; SECONDED BY SERPE; MOTION CARRIED 5-0.

SERPE MOVED TO APPROVE ORDINANCE #18-40 FOR A COMPREHENSIVE PLAN AMENDMENT TO UPDATE VILLAGE OF PLEASANT PRAIRIE, 2035 COMPREHENSIVE LAND USE PLAN MAP 9.9 AS IT RELATES TO PROPERTY KNOWN AS 9109 RIVER ROAD; SECONDED BY KECKLER; ROLL CALL VOTE – SERPE – YES; KLIMISCH – YES; POLLOCOFF – YES; KECKLER – YES; STEINBRINK – YES; MOTION CARRIED 5-0.

KECKLER MOVED TO APPROVE ORDINANCE #18-41 FOR A ZONING MAP AMENDMENT TO REZONE THE FIELD DELINEATED WETLANDS AREA ON A PORTION OF THE PROPERTY KNOWN AS 9109 RIVER ROAD; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

- D. Receive Plan Commission Recommendation and consider Ordinance #18-42 to create sections 348-8D of the Village Municipal Code related to the prohibition of parking recreational vehicles and utility trailers in any public street or other Village property.**

Jean Werbie-Harris:

Mr. President and members of the Board, this is a request for Ordinance 18-42 to the Municipal Code relating to parking prohibited in certain areas of the Village. This ordinance drafting came as a result of a request by the Village Board to the Village staff to put together an ordinance that addressed a problem that's starting to pop up in some of our subdivisions with respect to pop up trailers and regular trailers for hauling yard waste and so on and so forth. Many of the newer subdivisions do not allow for trailers to be parked in residential driveways. It's prohibited as part of their restrictive covenants.

And our Village ordinance wasn't entirely clear as to what could be parked in the Village's road right of way. And so what appeared was happening is that the residents were bringing trailers of different types as you can see in some of the photos, and then they were parking those in the Village road right of way to maybe get around some of the restrictive covenant language of their own subdivision.

So we took a look at the Village Municipal Code, and we modified Section 348-8D (13). And the way the restriction will now read is that no person shall park any recreational vehicle not attached to a motor vehicle or a utility trailer open or enclosed used to haul materials including but not limited household goods, snowmobiles, jet skis, all terrain vehicles, branches or any other items whether attached or unattached to a motor vehicle upon any public street or roadway in the

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Village except for transports related to limited and immediate delivery or collection of goods and materials at the address being served on any Village property including Village parks unless the area where the parking is to occur is posted with signs permitting such parking.

So the intent is that the Village's right of way is not intended to be used as a parking lot for trailers. So if folks have these types of trailers, the popup trailers, other types of trailers they need to accommodate them inside their enclosed garages, or they need to be housed someplace else off and outside of the subdivision and off the Village roadways.

John Steinbrink:

So this is for residential zoning then?

Jean Werbie-Harris:

That's correct. Well, actually Chief Smetana can come up, but it's really covering any type of recreational trailer or anything that complies with these regulations.

Michael Serpe:

Jean, if a family has a family member coming up for a three day visit with a trailer attached to a fifth wheel they can't park on the street for three days?

Jean Werbie-Harris:

Not the way this is written. They'd have to park in the subdivision. We have provisions in our ordinance that allow for family members to come up with RV's and popup trailers to park in the driveway for very, very small limited periods of time, loading, unloading, things like that, brief vacations, things like that. But the problem is that that wasn't what was happening. This was ongoing week after week after week after week. This was not a temporary situation where we had people visiting.

I know that the police department took some of these complaints, and the way that the ordinances were currently structured they we needed to put some teeth into them in order to make sure it was very clear as to what we were enforcing. I don't know if Chief Smetana wants to come up and address anything further. I know that he's reviewed the ordinance, the Administrator's reviewed it. We drafted it. I'm hoping that it addresses the concern.

Nathan Thiel:

For the Village Board, one thing to just remind you there was a -- I'm going to forget the resident's name, but they specifically approached the Village Board probably a month ago basically bringing up this issue. And so this is our intent to address it. Again, one thing that I would point out, and Jean did a very good job in stating we state this is the rule, this is the regulation, and it's really to address kind of more of the grievous abuses that are taking place and the HOA's wanting to be able to address these concerns. So I think we're primarily concerned

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about individuals who park there, trailers or so forth for a long, long period of time. And that's most likely how we would be enforcing this ordinance, too, as well.

Kris Keckler:

I have a question just envisioning types of scenarios. Landscapers that might have the utility trailer, different mowers and such, would they be applicable in this scenario that they go up and do their business but they're unloading and maybe they're parked there for an hour or two.

Jean Werbie-Harris:

No, because if they are there to service, they're transporting goods, and if they're there for a purpose, mowing the lawn, snow blowing, whatever it might be that's not what this is intended for.

Kris Keckler:

Okay, thank you.

Dave Klimisch:

So there were abuses by a number of people. And then the way this is written it sounds like it will stop those abuses. How do we make sure people that are just using an RV, someone is visiting, they have a jet ski, if they don't get unnecessarily burdened by this ordinance. Is there way to put an hour on it, 24 hours, 72 hours?

Jean Werbie-Harris:

I don't know that we wanted to put a specific hour on it. Again, it's going to be a police department enforcement. The two or three circumstances we have with the subdivisions that I'm thinking about right now based on the complaints we received this was week after week, it was weeks throughout the summer, then they just moved them this way, then they moved about ten feet this way, then they moved them on the other side.

John Steinbrink:

Chief, can you address this?

Chief Smetana:

The rewriting of the ordinance to address these specific issues, we attempted on these cases to go out and kind of navigate this between the HOA and the resident. Unfortunately the way the ordinance was written we didn't have any enforcement power. So it was basically the HOA said you can't park it in your driveway. And if you look it's the wooden trailer, you can't park it in your driveway for more than this period of time that's built into the rules. So we end up playing whack-a-mole with the individual pulling it on the street satisfying that time frame and then

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pulling it back in their driveway and then pulling it on the street. And that seemed to be an issue with this subdivision.

Never take into account that we are going to get there and automatically issue citations. Our first goal is to gain some compliance. So talking to the individuals, advising them of the ordinance and say, hey, you can't park this here based on a complaint or if we see it and then try to get compliance that way. So I'm not looking for anybody to be unduly burdened as you mentioned. I think we're going to try to gain some compliance by talking to individuals and making sure that they understand what the rule of the ordinance says. I don't know how often this is going to come up because we haven't been called on it, we haven't enforced it. So if there's other incidents where boat trailers, rec trailers, things like that are being parked on the street then we'll begin to address those as we see this coming up.

Mike Pollocoff:

Was there a problem in the parks where RV's were parking in the parks that we included that?

Chief Smetana:

I think we may have had a couple of calls down in the Carol Beach area. I know that as a matter of course I think the Lakeview area allows them for special events. But I think generally it was down in the Carol Beach area that we had a problem with a couple of trailers. It was few and far between.

John Steinbrink:

Jean, if neighborhood covenants allows you to have a paved area next to your garage to park your fifth wheel camper or whatever it is and that's allowable in that neighborhood, that's still allowable, right?

Jean Werbie-Harris:

Not per our ordinance. It has to be on the side --

John Steinbrink:

On the side of the garage.

Jean Werbie-Harris:

On the side lot line, and it has to be set back, and it has to be on a hard surface and it should be screened.

John Steinbrink:

We've always had that, right?

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Jean Werbie-Harris:

We've always had that so we have that. And there are some subdivisions that do allow them to be parked on the side screened.

John Steinbrink:

So that doesn't change?

Jean Werbie-Harris:

Correct.

Dave Klimisch:

And can an RV be parked in a driveway currently according to the ordinance?

Jean Werbie-Harris:

According to the Village ordinance?

Dave Klimisch:

Yes.

Jean Werbie-Harris:

Not for extended periods of time, no. If you're loading, unloading, leaving and going on vacation, things like that.

Dave Klimisch:

If somebody is visiting for the weekend --

Jean Werbie-Harris:

Yeah, we're not going to do anything.

Dave Klimisch:

But for long-term storage for the winter or summer --

Jean Werbie-Harris:

The long-term storage should not be in your driveway.

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John Steinbrink:

Any other questions for the Chief? Thank you, Chief.

Michael Serpe:

Move approval of 18-42.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adoption of Ordinance 18-42. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Everybody is in favor of item D. Those opposed? So carries.

SERPE MOVED TO APPROVE ORDINANCE #18-42 TO CREATE SECTIONS 348-8D OF THE VILLAGE MUNICIPAL CODE RELATED TO THE PROHIBITION OF PARKING RECREATIONAL VEHICLES AND UTILITY TRAILERS IN ANY PUBLIC STREET OR OTHER VILLAGE PROPERTY; SECONDED BY KECKLER; MOTION CARRIED 5-0.

E. Receive Plan Commission Recommendation and consider Resolution #18-31 to initiate an address change for the property located at 9119 Cooper Road.

Jean Werbie-Harris:

Mr. President and members of the Board, this is a resolution to initiate the change of the official address of a second home on the property located in the Village. Specifically, the owners of the property located at 9119 Cooper Road, Tax Parcel Number 92-4-122-143-0044 are requesting that a second address be assigned to the 550 square foot home that's located on the north side of their property. The property has two homes currently on the property. The primary home is located on the south side of the property, and that was constructed in 1939. The second home on the north side of the property was constructed in 1954.

Again, both homes were legal at the time that they were constructed. We didn't have even county zoning until 1959. And so because of that they are legal nonconforming structures. Today, of course, our zoning ordinance would not allow two principal homes on one property, but this is

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legal nonconforming. The property is zoned R-4, Urban Single Family Residential District. The owners intend to maintain that secondary home on their property, and they're requesting a second address be assigned to the northern home to eliminate the problems that they've been having with respect to deliveries and other persons trying to locate the home. In addition, since both homes are located on the same parcel with the same address, problems could also be created for emergency response personnel and others trying to find that second home.

The purpose of this resolution, again, by the Village Board is to initiate the process by which this petition can be examined and a public hearing can be held before the Village Board. These proposed changes will be referred back to the Plan Commission, a public hearing will be held by the Village Board, and then an address assignment would be scheduled or taken care of on the property. So the Village staff is recommending approval of Resolution 18-31 to initiate the process to consider a secondary address on this property.

Dave Klimisch:

Move approval of Resolution 18-31.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second for approval of Resolution 18-31. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

KLIMISCH MOVED TO APPROVE RESOLUTION #18-31 TO INITIATE AN ADDRESS CHANGE FOR THE PROPERTY LOCATED AT 9119 COOPER ROAD; SECONDED BY SERPE; MOTION CARRIED 5-0.

- F. Receive Plan Commission Recommendation and consider approval of time extension for the Memorandum of Understanding between the Village of Pleasant Prairie and the Wisconsin Department of Transportation regarding public and private improvements to the Main Street Market Traffic Impact Analysis along STH165, STH31 and Old Green Bay Road.**

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Jean Werbie-Harris:

Mr. President and members of the Board, at the last Village Board meeting we requested a time extension in order for us to review the Memorandum of Understanding Agreement for Main Street Market that had been prepared by the DOT. The developer also wanted some additional time in order to review what the DOT had drafted. We were hoping that we were going to get that MOU with the revised letter and the revised exhibit in time for this meeting. I actually received it today so it didn't make it onto the agenda. So we are looking for a time extension until the next Village Board meeting which is October 1st because that's when the next Board meeting is. The staff has reviewed, our Village Engineer and Administrator have reviewed it, and so we do need to put it on the next Village Board meeting because we just didn't get it to you soon enough.

Kris Keckler:

So moved.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second for approval. Any discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

KECKLER MOVED TO APPROVE TIME EXTENSION FOR THE MEMORANDUM OF UNDERSTANDING BETWEEN THE VILLAGE OF PLEASANT PRAIRIE AND THE WISCONSIN DEPARTMENT OF TRANSPORTATION REGARDING PUBLIC AND PRIVATE IMPROVEMENTS TO THE MAIN STREET MARKET TRAFFIC IMPACT ANALYSIS ALONG STH165, STH31 AND OLD GREEN BAY ROAD TO THE NEXT VILLAGE BOARD MEETING (OCTOBER 1, 2018); SECONDED BY SERPE; MOTION CARRIED 5-0.

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G. Receive Plan Commission Recommendation and consider the approval of the Gateway at LakeView Corporate Park Declaration of Development Standards and Protective Covenants.

Jean Werbie-Harris:

Mr. President and members of the Board, you have before you the Gateway at LakeView Corporate Park Declaration of Development Standards and Protective Covenants. The staff has reviewed these declarations at length with Erica-Nicole Harris from WisPark as well as our staff, our Administrator, myself and Tom along with our attorney, and has incorporated all the changes and comments that we have discussed with respect to the declarations. What was finally agreed to was that there would be a separate set of declarations for the Gateway project that these covenants are not rolled into the LakeView Corporate Park standards so they are separate and distinct.

This is more of a retail / commercial type development as opposed to an industrial park. So more specific language for a unified business development were incorporated into these standards. And then based on some of the comments from previous meetings some other language that was incorporated in here include the dark store -- to avoid the dark store loophole and so that language was put in here, and some additional site plan criteria was put in. I want to say all the other things that we had talked about as a staff that covers everything from performance standards, enforcement rights of the Village as well as the declarant and the association. Very detailed information on some of the items that make it a unified business development from building materials, site lighting, site signage, cross-access easement language, things like that were all incorporated into these declarations as well. WisPark recommend approval, and the staff recommends approval as presented.

Nathan Thiel:

I was just going to add that I was appreciative -- I know Erica is here tonight, I was appreciative of her efforts in working with us. I believe that we've come to a good set of declarations for this site. And, again, I think that it was a worthy process. The only thing that I would highlight is when we set up the declarations we did set up basically an intent to set up a POA or an owner's association. That association will be organized or orchestrated as developments come on board. One thing that we had requested specifically, and Erica has assured us, is that they will file for the POA or get the POA filed before the end of this year, November 1st. But all in all that was the only subtle difference from other declarations that we've set up with other organizations where we would have specific language saying that the POA was going to be implemented at the get go. So if there are questions Erica is here tonight. I'm grateful that she came. And in general I think that it was a good process.

John Steinbrink:

Any questions for Erica, or Erica anything to add? No? Any questions for Erica.

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Mike Pollocoff:

Move approval for the Declaration of Development Standards and Covenants for Gateway at LakeView Corporate Park.

Kris Keckler:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion on this item? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO APPROVE THE GATEWAY AT LAKEVIEW CORPORATE PARK DECLARATION OF DEVELOPMENT STANDARDS AND PROTECTIVE COVENANTS; SECONDED BY KECKLER; MOTION CARRIED 5-0.

H. Consider approval of Ordinance #18-43 as it relates to Chapter 320-3 Hotel/Motel Room Tax of the Village of Pleasant Prairie's Municipal Code.

Nathan Thiel:

So before you is a few modifications to the room tax ordinance as currently existing. Primarily as the room tax and the CVB reviewed the ordinance and in discussions with an attorney, one thing that has been afforded to municipalities is to take into consideration B&B or Air B&B situations where people will rent out their homes for short periods time to also collect room tax or tourism tax on those types of facilities. And so primarily the ordinance is being adjusted to accommodate that ability within the Village. The rest of it is minor just cleaning up of the ordinance in general. Again, one thing to note that I didn't mention in my Administrator's report is that we are actually we are actually prepared to establish the CVB, and so that item, the Board of Directors for the Bureau will need to be appointed or I guess committed to serve their term. And so that business will be brought forward to the Village Board probably at the next meeting. So you can start to see that we're making progress to fully implement that CVB. Any questions I'd entertain them at this time.

Michael Serpe:

What percentage are we collecting on now?

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Mike Pollocoff:

It would be the same. Whatever we collect it's 8 percent of the room night cost. And then the Village retains 10 percent of that amount for administrative costs. And then the bureau would receive 90 percent for the purposes of promotion of the community.

Nathan Thiel:

And just to add to that point that with state statute that really cannot be changed or modified. The only way is if we were to like create a convention space, an actual convention space, then there's potential to make modifications to that formula.

Dave Klimisch:

Move approval of Ordinance 18-43.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second for adoption of Ordinance 18-43. Further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

KLIMISCH MOVED TO APPROVE ORDINANCE #18-43 AS IT RELATES TO CHAPTER 320-3 HOTEL/MOTEL ROOM TAX OF THE VILLAGE OF PLEASANT PRAIRIE'S MUNICIPAL CODE; SECONDED BY SERPE; MOTION CARRIED 5-0.

- I. Consider approval of the Offer to Purchase received from Route 165 LLC for the purchase of property known as Outlot 1 of CSM 2684, Tax Parcel No. 91-4-121-251-0154 for the sum of \$22,000.**

Tom Shircel:

Thank you, Mr. President and Village Trustees. Before you as Mr. President said is a vacant land offer to purchase between the Village of Pleasant Prairie, the current owner, and Route 165, LLC also known as Uline. Over the past few months the Village had been in discussion with Uline to

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purchase this parcel. This is a five and a half acre parcel located generally at the southwest quadrant of State Trunk Highway 165 and I-94. The parcel is improved. You can see the slide where that parcel is. It's just to the east of Uline's H1 headquarters. The parcel is improved currently with two stormwater retention basins that collect stormwater from the property to the north which Uline purchased a couple years ago and also from the abutting roadways.

There's also a campus connection pathway that Uline installed in 2017 that connects H1 headquarter building with H2 headquarters. Essentially Uline has been maintaining this parcel over the years. They landscaped it, they mow the lawn and so on and so forth. So it only makes sense that they were interested in purchasing this parcel. As you said the value we have it at \$22,000 which is also the proposed sale price.

There are a few easements that traverse this property, the private driveway and access maintenance easements which is intended to serve the access to potential Uline H1 to the immediate west. There's a 20 foot public sanitary sewer and access easement on the property. There's a stormwater drainage and retention basin easement like I said on the property. There's a 12 foot Wisconsin Electric Power easement and also a fiber optics easement on the property.

There's the general location again. It gets a little more overall view of where that property is just north of Jockey and just like I said east of H1. Again, this slide shows the easements that traverse the property located on the property. And this slide shows the campus connection pathway, the green line that goes through there that connects their H1 building to the east and the H2 building to the south. This is a picture looking westward from the West Frontage Road towards as you can see in the background the H1 building. You can see the campus connection pathway there. And to the right of the slide you can't see them but are the two retention basins. A similar picture, a slightly different angle, again, showing the property.

So with that the Village staff is recommending that the Village Board approve the vacant land offer to purchase between Route 165, LLC and the Village of Pleasant Prairie and authorize the Village President to execute the vacant offer to purchase contract. If you have any questions I'll be happy to answer them.

Kris Keckler:

Move approval of the vacant land offer as outlined.

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second for adoption of vacant land offer. Further discussion on this item? So we have all the easements we need, all the accesses we need. We don't have to do any maintenance any more on it. And they're actually doing the maintenance on it now.

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Tom Shircel:

Actually own the property, exactly.

John Steinbrink:

If there's no further discussion, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

KECKLER MOVED TO APPROVE THE OFFER TO PURCHASE RECEIVED FROM ROUTE 165 LLC FOR THE PURCHASE OF PROPERTY KNOWN AS OUTLOT 1 OF CSM 2684, TAX PARCEL NO. 91-4-121-251-0154 FOR THE SUM OF \$22,000 AS OUTLINED; SECONDED BY POLLOCOFF; MOTION CARRIED 5-0.

J. Consider approval of the disallowance of claim of Tim Hemelink for the damage to his vehicle allegedly caused by a rock that was kicked up by a Village Truck traveling on 88th Avenue.

John Steinbrink, Jr.:

Mr. President and members of the Board, this evening I'm going to recommend a disallowance of a claim per the Village insurance company to Mr. Tim Hemelink. He was traveling on 88th Avenue behind a Village van. The Village van was completing locates of underground utilities. Staff had turned on its hazards, pulled over to the side of the road, completed its hazards. Later on I received a call that a rock had come out of the Village van's tire and supposedly caused some damage to his vehicle.

We went and we had him submit a claim to the Village insurance company. The insurance company did an investigation and recommended a disallowance of the claim. So I would recommend his disallowance of the claim from Mr. Hemelink.

Michael Serpe:

How much damage was done, John?

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John Steinbrink, Jr.:

I don't know exactly a dollar amount. I'm not sure if Mr. Hemelink is here this evening. I thought it was a small stone, maybe one inch. And the Village van at the time was moving about five miles an hour. So I'm not sure how much velocity that stone had to cause damage.

Dave Klimisch:

And the investigation showed no negligence on the Village part?

John Steinbrink, Jr.:

That's correct.

Dave Klimisch:

I recommend approval of the disallowance.

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second for approval of disallowance of the claim. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries. Thank you, John.

KLIMISCH MOVED TO APPROVE THE DISALLOWANCE OF CLAIM OF TIM HEMELINK FOR THE DAMAGE TO HIS VEHICLE ALLEGEDLY CAUSED BY A ROCK THAT WAS KICKED UP BY A VILLAGE TRUCK TRAVELING ON 88TH AVENUE; SECONDED BY POLLCOFF; MOTION CARRIED 5-0.

9. VILLAGE BOARD COMMENTS

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10. ADJOURNMENT

Michael Serpe:

Move to adjourn.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adjournment. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KECKLER;
MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 6:49 P.M.**