

**VILLAGE OF PLEASANT PRAIRIE  
PLEASANT PRAIRIE VILLAGE BOARD  
PLEASANT PRAIRIE WATER UTILITY  
PLEASANT PRAIRIE SEWER UTILITY**

**Village Hall Auditorium**

**9915 - 39th Avenue**

**Pleasant Prairie, WI**

**October 15, 2018**

**6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, October 15, 2018. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Mike Pollocoff, Dave Klimisch and Mike Serpe. Also present were Nathan Thiel, Village Administrator, Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Chief of Police; Aaron Longrie, Assistant Fire Chief; Rocco Vita, Village Assessor; Matt Fineour, Village Engineer; Carol Willke, Human Resources Director; Dan Honore', IT Director; Sandro Perez, Inspection Superintendent; Craig Anderson, Recreation Director and Jane C. Snell, Village Clerk. Two citizens attended the meeting.

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

John Steinbrink:

The request has been made to take Item 4A and 7G together. Is that correct, Jean? Correct.  
Motion to do so?

Michael Serpe:

So moved.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Motion carries.

**SERPE MOVED TO AGREE TO TAKE 4A AND 7G TOGETHER; SECONDED BY KECKER; MOTION CARRIED 5-0.**

**4. PUBLIC HEARING**

- A. Consider and approve Final Resolution #18-34 authorizing construction of public improvements and levying special assessments against benefited properties for the construction of a 12-inch water main and appurtenances beginning at 91st Street extending south approximately 475 feet along 22nd Avenue in the Village of Pleasant Prairie.**

Matt Fineour:

Mr. President and members of the Board, this is a water main extension along 22nd Avenue. It's being completed by Eva Manor, LLC as part of the Eva Manor senior housing and multifamily townhome development. As you can see from the map the water main will extend south along 22nd Avenue approximately 475 feet along the east side of the road. The original plan for the development was to terminate the water main at the south property line of Eva Manor. This portion of the water main extension is being paid for by the developer. A right of recovery and funding agreement between the Village and the developer may be entered into at the cost over and above that portion of the cost properly chargeable to the developer, may be subsequently recovered by the Village and returned to the developer which is referred to as a right of recovery.

Subsequent to the development approval, the property owner immediately south of Eva Manor, Mr. and Mrs. Mullins, requested that water service be made available to them. In order to provide service to the main it was extended a little farther south. The additional cost of the extension south of Eva Manor will be paid by the Village Water Utility and will be placed as a special assessment as well on this project.

Preliminary Resolution 18-29 was adopted on September 17, 2018 declaring the intent to exercise special assessment police powers in connection with the construction of the 22nd Avenue water main extension. On adoption of the preliminary resolution the Village Engineer prepared a special assessment report computing the assessment amount levied to benefitted properties. The assessment report includes the final plans for the water main improvements, cost of improvements, assessment method and rate calculation and schedule of proposed assessment against each parcel benefitted by the improvements. The assessment report is included in the Board packet and was also mailed to each property owner listed in the assessment schedule.

The water main developer right of recovery and Village special assessment is based on a lot frontage of benefitted properties. The linear cost is calculated as the total project cost divided by the total water main length. This cost was then divided in half to account for both sides of the road. The size of the water main being constructed is 12 inch in diameter. The water main cost was reduced to represent an eight inch main equivalent cost for the assessment. Water services

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are not included in the eight inch water main cost and are accounted for separately in the assessment schedule. The front footage assessment is applied to each benefitted property, the front is just the lot dimension abutting the right away of each benefitted property.

The following considerations were made for this assessment, 9145 22nd Avenue, this is the Mullins' property. Due to the configuration of this lot the lot frontage was calculated by measuring the distance between the two adjacent lot corners along 22nd Avenue as depicted on the special assessment map. Corner lot credits, if applicable, were determined by adding the length of the property along each right of way then subtracting 132 feet. 9136 22nd Avenue was provided a lot corner credit due to the irregular lot configuration on the curved road that transitioned from 22nd Avenue to Springbrook Road.

The assessment rate calculation was done this way. The total project cost of a 12 inch water main was calculated at \$72,250. The total estimated project cost of an 8 inch equivalent main was \$65,650. This was used as the project assessment cost. The total length of water main was 478 feet. The cost per linear foot of the water main is \$137.34 per linear foot. For each side of the road that comes out to an assessment rate of \$68.67 per linear foot. Water service laterals were assessed at \$3,510 per lateral. There's only one lateral for this project and that's for the Mullins' property, so that's the actual cost of that lateral.

Schedule C identifies the properties that were assessed. Schedule C also identifies what assessments are right of recovery for the developer and what assessments are special assessments through the Village. The right of recovery assessments are assessments, again, that are collected by the Village and given to the developer during the time frame of the funding agreement which is ten years in length. After ten years the right of recovery if somebody hasn't connected is deemed paid.

So the right of recovery assessment, the right of recovery assessments are subject to the right of recovery and funding agreement between the Village of Pleasant and Eva Manor for the public water main extension in 22nd Avenue. The property owners may defer payment of the right of recovery assessment until the property connects to the municipal water system or is a precondition of land division approval. At the time the property owner connects to the municipal water system or the property is subdivided, the entire assessment shall become due and payable. After the right of recovery date obligation is expired for the funding agreement between the Village and Pleasant Prairie and Eva Manor, any right of recovery assessment still rightfully deferred and unpaid shall be deemed to have been paid.

The Village special assessments, the property owners may defer payment of the Village special assessments for the municipal water main improvements until connection is made to their property, at such time the property is subdivided or at such time a building permit is issued. At the time the property owner connects to the municipal water system, the property is subdivided or building permit is issued the entire assessment will become due and payable. For this project there is a total assessment levied of \$33,930.81. Out of that \$20,051.64 is associated with the

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right of recovery, and \$13,879.17 is the Village special assessment. If there's any questions I'd be happy to answer them, but I will turn it back over to you as part of the public hearing.

John Steinbrink:

Hearing no questions for Matt, I'll open the public hearing. For the public hearing we need you to use the microphone and come to the podium and give us your name and address for the record. We had a signup sheet?

Jane Snell:

There were no signups this evening.

John Steinbrink:

Anybody wishing to speak on this item? Yes, ma'am? You have to come up and use the microphone. This water or the next one?

John Steinbrink:

Okay. Anyone wishing to speak on this item? Hearing none I'll close the public hearing and open it up to Board comment or question.

Michael Serpe:

John, I think Matt explained it quite well. The right of recovery is there, it's a deferred assessment. I'd move approval of 18-33.

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second. Any discussion on the motion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

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**SERPE MOVED TO APPROVE FINAL RESOLUTION #18-34 AUTHORIZING CONSTRUCTION OF PUBLIC IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR THE CONSTRUCTION OF A 12-INCH WATER MAIN AND APPURTENANCES BEGINNING AT 91ST STREET EXTENDING SOUTH APPROXIMATELY 475 FEET ALONG 22ND AVENUE IN THE VILLAGE OF PLEASANT PRAIRIE; SECONDED BY POLLOCOFF; MOTION CARRIED 5-0.**

John Steinbrink:

Then Item 7G.

**7. NEW BUSINESS**

**G. Receive Plan Commission recommendation, consider and approve Right of Recovery and Funding Agreement between the Village of Pleasant Prairie and Eva Manor LLC for the extension of public water main on 22nd Avenue.**

Matt Fineour:

This is the right of recovery and funding agreement between the Village and Eva Manor for the recovery of funds that may be due the developer if and when Lots 1, 2 or 3 in the special assessment connect to the water main within ten years. So this is a typical right of recovery length. And the developer would have ten years to recover. If they don't connect to that water main within ten years that's the termination of the funding agreement.

Dave Klimisch:

Question. At the end of the ten years can you tell me again what happens?

Matt Fineour:

At the end of the ten years if a -- well, let me start with this. If a property owner connects within ten years they owe that right of recovery in full. If they connect on year 12, 13, 14 or thereafter the right of recovery it goes away at ten years. So it's deemed paid at ten years, it essentially goes off the books.

Dave Klimisch:

Okay.

Michael Serpe:

John, there was somebody that wanted to speak on this item? Do they still want --

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John Steinbrink:

This isn't part of the public hearing.

Michael Serpe:

I know it isn't but I think we --

John Steinbrink:

She wants the next item.

Michael Serpe:

Oh, okay.

John Steinbrink:

Do we have a motion on this?

Michael Serpe:

I move approval of Item G.

Dave Klimisch:

Second.

John Steinbrink:

Motion and a second, any discussion on the motion or second? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO APPROVE RIGHT OF RECOVERY AND FUNDING AGREEMENT BETWEEN THE VILLAGE OF PLEASANT PRAIRIE AND EVA MANOR LLC FOR THE EXTENSION OF PUBLIC WATER MAIN ON 22ND AVENUE; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

**4. PUBLIC HEARING**

- B. Consider and approve Final Resolution #18-35 authorizing construction of public improvements and levying special assessments against benefited properties for the construction of an 8-inch water main and appurtenances beginning at 104th Street and extending north approximately 360 feet along 28th Avenue in the Village of Pleasant Prairie.**

Matt Fineour:

Mr. President and members of the Board, the public water main extension along 22nd Avenue is being completed by the Village of Pleasant Prairie Division of Public Works due to the dividing of land which is CSM 2836 for the property owner's intent to sell and develop Lot 2 in which lot frontage was already assessed for public water main as part of the past water main installation along 104th Street. As you can see from the map the water main will extend north along 28th Avenue from 104th Street approximately 360 feet along the west side of the road. This also corresponds to the north end of Lot 2, that CSM which is going to be developed.

Preliminary Resolution 1825 was adopted on August 6, 2018 declaring the intent to exercise special assessment police powers in connection with the construction of the 28th Avenue water main extension. Upon adoption of the preliminary resolution the Village Engineer prepared the special assessment report computing the assessment amount levied to the benefitted properties. The assessment report includes the final plans for the water main improvements, cost of the improvements, assessment method and rate calculation and a schedule of proposed assessments against each parcel benefitted by the improvements.

The assessment report is included in the Board packet and was also mailed to each property owner listed in the assessment schedule. The water main assessment is based on a lot frontage of benefitted properties. The linear foot cost is calculated as the total project cost divided by a total water main length. This cost was divided in half to account for both sides of the road. The front footage assessment is applied to each benefitted property. The frontage is the lot dimension abutting the public right of way of each benefitted property.

Exempted costs for this project, roadway restoration costs were exempted and will be paid for through the annual paving program. Other considerations that were made for this assessment, Lot 92-4-122-244-0401 which is Parcel Number 4 is identified on the assessment map. The lot frontage along 28th Avenue was previously assessed, and the assessment was paid as part of the 104th Street water main installation prior to the CSM 2836 lot split. This lot is being assessed for one new water lateral.

Lot number 2 which is Lot 1 of CSM 2836, the lot frontage along 28th Avenue was previously assessed, and the assessment was paid as part of the 104th Street water main installation. The lot was also assessed for one lateral which is located along 104th Street. The lot currently is not

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connected to the municipal water system. Future connection to the municipal water system will be required to be off 28th Avenue. As part of this project a new lateral will be installed off 28th Avenue, and the Village will abandon an unused lateral located on 104th Street.

Lot 1 as identified in the assessment map, the lot frontage along 28th Avenue for this lot was also previously assessed for water main only as part of the 104th Street main installation. No previous assessment for a water lateral was levied. The lot currently is not connected to the municipal water system and does not have a water lateral. Future connection to the water system is to be made off 28th Avenue. The lot is currently being assessed for one water lateral which will be installed off the proposed water main.

The assessment rate calculation, the total estimated assessable project costs for the water main was \$70,629. The assessable length of the water main is 718 linear feet. The water main assessment rate is calculated at \$98.37 per linear foot. The cost per water lateral is \$2,435 per lateral. The assessment schedule includes four properties with a total assessment levied at \$28,430.30. These assessments are deferred assessments. The property owners may defer payment of the special assessment for the municipal water main improvements until connection is made to their property, at such time that the property is subdivided or at such time a building permit is issued. At the time the property owner connects to the municipal water system or the property is subdivided or a building permit is issued, the entire assessment shall become due and payable.

As far as the assessment map goes you can see that in the color coding the orange frontage along Lot 2 and Lot 1 that is the area that was previously assessed as part of the 104th Street water main, along the same with Lot 1. And then the purple frontage is the proposed lot frontage for this assessment. If there's any questions I'd be happy to answer them, but I'll turn it back over to you for the public hearing and any comments.

John Steinbrink:

Any questions for Matt?

Dave Klimisch:

The Lot 1 on the southeast side that currently has water off of 165 we're going to install a lateral so it's coming off of 28th Avenue?

Matt Fineour:

Correct, right. That lot does not currently have a lateral to it, so we'll be placing it off 28th Avenue. The reason for that is 104th is more of a transmission main or a larger main that in the long term will be -- the thought is that might be a main that's actually a transmission main in the future. So we want all laterals off the side streets if you will.



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Dave Klimisch:

So we'll run it from the street to the house all the way?

Matt Fineour:

No, it will go from the main to the right of way. Then from the connection to the house to the right of way will be the property owner's responsibility.

Dave Klimisch:

So the water will still -- until they make that change it will still come off of 165.

Matt Fineour:

No, there's no lateral off 165. It will come off 28th Avenue. They're not connected.

John Steinbrink:

Further questions for Matt? If not, this is a public hearing. I'm going to open it up to public comment or question. Signup sheet?

Jane Snell:

We did have two signups this evening. The first one is Jeanine McCrary.

Jeanine McCrary:

Hi, my name is Jeanine McCrary. And I live at 10310 28th Avenue. I want to go on record to oppose this water extension. This is not a benefit for me. It would cost me \$11,000 plus to hook up. In addition, it would cost me the inside plumbing work that has to be done, and it's cost prohibitive to my income. There's no way I can afford this. I didn't ask for the water. I voted it down the first time. I don't need the water. I have a perfectly good well and I don't want it. If Donna needs to subdivide her lot and she wants to have water let her pay for it.

Michael Serpe:

Did I understand that this is a deferred assessment?

Mike Pollocoff:

That was my understanding at least as the resolution is written. It's a deferred assessment.

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Jeanine McCrary:

Right until I decide to sell my house.

Mike Pollocoff:

No, it's not upon sale, is it?

Nathan Thiel:

It's only if you were to connect or if you were to subdivide your parcel. So there's really no cost to you unless you specifically chose or the property owner specifically chose to connect to the water main. And so in your case where you're saying I have a perfectly good well there's no cost to you. As long as you choose not to connect to the main there will be no cost.

Jeanine McCrary:

At all.

Nathan Thiel:

At all.

Michael Serpe:

But what you have is a nice insurance policy in front of your house. In case your well goes bad you can then hook up if you wish.

Jeanine McCrary:

Can they run it down the other side of the street?

Nathan Thiel:

We did look at that. Matt could probably respond to that question. But the bottom line is no, this was the area that worked for the main. Matt, I don't know if you want to add any value to that.

Matt Fineour:

The only thing I'd add is the other side of the road has a sanitary sewer, and that was kind of in conflict where we didn't want to put the main in if we were going to go on the east side of the road.

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Jeanine McCrary:

I'm just kind of worried about my drainage. Well, right now I don't have any problem with my drainage going out to the road and not having my basement flood. I'm kind of worried about all the construction and what's that going to do.

Nathan Thiel:

If I understand correct, Matt, this was actually put in the road. So we'll be actually tearing into the road and then resurfacing the road later. So it shouldn't impact any of your drainage.

Matt Fineour:

It's actually right on the edge of the road like in the shoulder area.

John Steinbrink:

Sir, we need your name and address for the record.

Mike McCrary:

I'm Mike McCrary, her husband.

John Steinbrink:

Are you done, ma'am, first?

Jeanine McCrary:

Yes.

Mike McCrary:

I want to know is it going to be --

John Steinbrink:

We need your name and address for the record.

Mike McCrary:

Mike McCrary, I'm Jeanine's husband, 10310 28th Avenue.

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John Steinbrink:

All right, thank you.

Mike McCrary:

Are you going to tear up the drainage ditch to put that in?

Matt Fineour:

The water main is going to be at the edge of the road --

Mike McCrary:

The easement off the road you're talking about, or is it going to [inaudible].

Matt Fineour:

No, it's actually the edge of the shoulder. So when they dig if they disturb any of the ditching they'll have to restore that.

Mike McCrary:

[Inaudible] the ditch.

Matt Fineour:

It's the gravel area right on the edge of the road.

[Inaudible]

Matt Fineour:

It's on the edge of the road. So any areas that are disturbed will be restored as part of the construction of the project.

John Steinbrink:

It's not going to be on your property. It's going to be in the ditch -- away from the ditch on the edge of the road. But when they're done they restore everything back.

Mike McCrary:

[Inaudible] the gravel is this wide, and it's the ditch [inaudible].

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John Steinbrink:

It's going to be placed in the public right of way.

Matt Fineour:

It's on the edge of the pavement [inaudible].

Michael Serpe:

Whatever happens it's going to be restored to the way it was. You're going to continue to use that ditch as a drainageway.

Mike McCrary:

[Inaudible] my culvert on my driveway [inaudible].

Michael Serpe:

If they rip up your culvert we'll replace it.

Mike McCrary:

Okay [inaudible].

John Steinbrink:

Anyone else wishing to speak? Yes, ma'am?

Kaabala Shabazz:

Good evening, I'm Kaabala Shabazz. I live at 10308 28th Avenue. I am Mr. McCrary's neighbor. And I just want to reconfirm what he was saying about -- what he's trying to say is when they dig up there on the road there is no walkway. So you just have that two inch gravel, and then you have something that leads down into a ditch. And they're worried about basically obstructing that hole where the sewage and all the water that's pumping out is going to be obstructed and then cause it to back up into the basement. That's what he's concerned about. Not so much about doing it on his property, but basically concerned about constructing where it's pumping out that water, that is the issue that we're concerned about.

It's nice to know now that you basically are saying that we won't have to pay for this unless we actually use it. But now the concern is basically wondering if it's going to be obstructing where we're having our water pumped out through our sump pump in our basement because you're

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going to, of course, tear up that whole road there in order to install this water line. That's his concern, that's my concern as well, obstructing the water that is going to be there.

Mike Pollocoff:

Mr. President, in my experience in doing sewer and water projects or any project in the Village, when we have to excavate an area it's a disruption. You have backhoes in there and everybody is digging. But everybody still has to live their lives and things have to work in that intervening period, whether the water level is so great we're going to bypass and we're going to pump around it. Some way is going to be found to make sure that stormwater that's coming down that way can still get from point A to point C if point B is obstructed. So that would be whatever construction method is appropriate to make that go away.

And hopefully at the end of the project whenever we're done one of these things we want to leave it in better condition than we found it. If the grades need to be improved, if the slope of the ditch is not appropriate, whatever we can do to leave that in better condition after we're done than before we found it is good for everybody. It's good for the people that live there, and it's good for the Village because it's less maintenance that we'd have to do in the future.

Kaabala Shabazz:

Right, I understand that. So you're basically just saying unless we decide to hook up to this new city water, water line that we won't have to pay. And if we do is it that \$12,000, or are we just paying to have it hooked up to our home itself?

Mike Pollocoff:

It would be the \$12,000. Anything on private property that's yours. We can't spend public dollars on private property. Whatever that would be at the time. I think your ability to have this go beyond ten years unlike the previous item where we're doing a deal with the developer this could go on longer than ten years. If your well goes out at 15 or 20 years that's when you or the subsequent owner of the property make the decision to hook up.

Kaabala Shabazz:

Okay. My husband would like to know what if it goes out in nine years?

Mike Pollocoff:

Then it's from the first time you use it. Whenever after this project is completed you're the one who is going to decide when to use it. It doesn't matter what the time frame is.

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Nathan Thiel:

So, Mike, that's an excellent point. The difference between a deferred assessment and then the right of recovery from a developer is a deferred assessment is assessed through the Village. And there is no time limit on that deferred assessment. So if ten years from now you hooked up, 20 years from now, 50 years you hooked up from now that assessment would come into play. And so you'd be paying that assessment plus any other costs that you would have to make that -- finishing that last little bit from the right of way to your home. With a right of recovery there's a kind of statute that basically limits the ability for a developer to recover their costs for up to ten years. And so in your case because this is a Village project there is no time limit.

And then just to echo what Mr. Pollocoff indicated, on behalf of the staff and the construction workers that work on these projects, our greatest desire is to make it so that there is no significant impact. There's always a bit of inconvenience during construction projects. But the last thing we want is for you to have a backup in your basement or stormwater going towards your house. Those things we're not going to cause those problems. It's never our intent.

Kaabala Shabazz:

Okay, let's fast forward to the future and we say that does happen, that [inaudible] from getting that water out who do we talk to? Who should I talk to?

Mike Pollocoff:

If you have water coming into your house I would call the Village utility emergency line which is 694-1234 and someone will be out there right away, and the crews will work on it and get the contractor working on it so it stops as soon as we find out it happens. And we'll have an inspector on the job site as well if they notice that something's wrong. We'll be watching for it.

Kaabala Shabazz:

Okay, thank you.

John Steinbrink:

Jane, do we have a signup sheet yet?

Jane Snell:

The only other person was Kaabala, it was her. She was our signup, yes.

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John Steinbrink:

Anyone else wishing to speak on this item? All right. Just give us your name for the record because the poor lady that transcribes this has no idea who is talking.

Mike McCrary:

Just write down Mike McCrary, —C-C-R-A-R-Y. Just Mike. When are you all going to do this thing or start the project?

Matt Fineour:

Our public works department has scheduled this project actually for sometime next week. The 22nd they're scheduled to get out on site. They said it would take about a week to construct.

Mike McCrary:

I'm going to be gone. I don't want them digging up my yard when I'm gone. Hello?

John Steinbrink:

Matt, we're not digging up his yard, correct?

Matt Fineour:

We're not digging up the yard. It will be right by the road within the right of way area.

Mike McCrary:

All right, and that drainage ditch is where my sump goes. You all going to dig that up? If you do my basement will flood. A black pipe about that big goes in the ditch.

Matt Fineour:

We'll make sure the public works department is well aware of your sump pump discharge.

Mike McCrary:

And next to the sewer pipe is the water pipe if we ever decided to hook up. That was put in when the sewer was put in. You all know about that?

Matt Fineour:

We know where the sewer lateral is.



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Mike McCrary:

You know where that black pipe is?

Matt Fineour:

What black pipe?

--:

Sump pump pipe?

Mike McCrary:

There's a black pipe for a water hookup already buried at my place. It was done when you all made us have to have sewers I didn't need.

Matt Fineour:

If you have an existing lateral from your house to the right of way for a water hookup I think the best way to handle that is if you know where that is we can give you something to mark it and then you can mark it out. If you don't know where it's at there's no way the Village would know where it's at.

Mike McCrary:

It's with the sewer pipe, that much I know. When you all put in -- when the sewer pipe was put in from the road to the house they laid in the pipe in case I ever wanted water so they had to dig up my whole yard again.

Matt Fineour:

We know where the sanitary sewer lateral is. So if you want it placed near there so it's not far away from an existing water pipe to your house that's where we can install it.

Mike McCrary:

I'm going to be home on the 30th. I'm going on vacation for a week and a half. You all going to be doing anything by then?

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Matt Fineour:

If you'd like I can have somebody from the public works department meet you out on site this week if you want to discuss where --

Mike McCrary:

I'm there until Thursday and then I'm gone for a week and a half.

Matt Fineour:

We can have somebody come out and meet you before Thursday.

Mike McCrary:

I just don't want my basement to flood. My sump pump runs constantly.

Matt Fineour:

Did you leave your phone number on the signup sheet?

Jane Snell:

No, your number is not on the signup sheet.

Mike Pollocoff:

Why don't you bring it up to the dias because [inaudible].

[Inaudible]

John Steinbrink:

Anyone else wishing to speak on this item? Anyone else? Then I'm going to close the public hearing and open it up to Board comment or question.

Mike Pollocoff:

Mr. President, I move adoption of Resolution 18-34.

Kris Keckler:

Second.

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John Steinbrink:

Motion and a second for adoption of Resolution 18-34. Any discussion on the resolution or second? If not those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries. And we will make sure you are notified and somebody gets out there and marks your lateral so the two ends meet, okay?

**POLLOCOFF MOVED TO APPROVE FINAL RESOLUTION #18-35 AUTHORIZING CONSTRUCTION OF PUBLIC IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR THE CONSTRUCTION OF AN 8-INCH WATER MAIN AND APPURTENANCES BEGINNING AT 104TH STREET AND EXTENDING NORTH APPROXIMATELY 360 FEET ALONG 28TH AVENUE IN THE VILLAGE OF PLEASANT PRAIRIE; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

**C. Consider and approve Resolution #18-36 for the address change relating to property located at 9119 Cooper Road.**

Jean Werbie-Harris:

Mr. President and members of the Board, this afternoon we had received an email request and some phone calls from Kathee Jennings, the applicant. The original petition and public hearing was to change an official address of a property located at 9119 Cooper Road. She has since changed her mind after speaking with her tenants. There had been some misunderstanding with respect to the change in address, and she's asked to withdraw her request this evening and not change the official address. She feels that the tenants are not having a problem right now with respect to the address, the way it's been addressed with the front and the rear. And so she is asking to withdraw her application this evening.

John Steinbrink:

So there is no public hearing?

Jean Werbie-Harris:

The intent is -- well, it's on the agenda so we need to take it up and accept her withdrawal of the petition.

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Michael Serpe:

Does not making the correction have any effect on emergency service response?

Jean Werbie-Harris:

In speaking with Mrs. Jennings it sounds like there have been no complications, no emergencies, no problems, and they have address plates up by the road, whether it's a front or rear home. And they have not had any problems with respect to anyone finding the properties.

Michael Serpe:

Move to concur with the planner's recommendation to withdraw.

Dave Klimisch:

Second.

John Steinbrink:

Motion and a second for withdrawal. Any discussion on the item? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO APPROVE RESOLUTION #18-36 FOR THE ADDRESS CHANGE RELATING TO PROPERTY LOCATED AT 9119 COOPER ROAD; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

## **5. CITIZEN COMMENTS**

Jane Snell:

There were no signups this evening, Mr. President.

John Steinbrink:

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

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**6. ADMINISTRATOR'S REPORT**

**7. NEW BUSINESS**

- A. Receive Plan Commission recommendation, consider and adopt Ordinance #18-44 for Comprehensive Plan Amendments to the wetlands recently delineated on vacant property located at 7800 block of 128th Street.**

Jean Werbie-Harris:

Mr. President, I would ask that Items A and B be taken up at the same time with separate actions taken.

John Steinbrink:

Motion to bring up A and B together.

Kris Keckler:

So moved.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**KECKLER MOVED TO ACCEPT THE REQUEST FOR ITEMS A AND B BE TAKEN UP AT THE SAME TIME WITH SEPARATE ACTIONS TAKEN; SECONDED BY SERPE; MOTION CARRIED 5-0.**

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- B. Receive Plan Commission recommendation, consider and adopt Ordinance #18-45 for a Zoning Map Amendment to rezone the field delineated wetlands on vacant property located at the 7800 Block of 128th Street.**

Jean Werbie-Harris:

Mr. President and members of the Board, we have two requests before us from Justin Mathis, and this is on behalf of the property owner Luke Bosman. The first request is the Comprehensive Plan Amendment, Ordinance 18-44, and the second is the Zoning Map Amendment, Ordinance 18-45. And this is for a property at the 7800 block of 128th Street. The petitioner had a wetland delineation was completed on the property by Stantec Consulting Services. It was approved and confirmed by the Wisconsin DNR on May 8, 2018.

The field delineated wetland areas include a pond within secondary corridor as well as field delineated wetland areas. And these areas will now be correctly reflected on both the Comprehensive Plan Map, and the Zoning Map will reflect the wetlands and be placing them in the C-1, Lowland Resource Conservancy District. The Land Use Plan Map and Zoning Map are required to be consistent. And this was a matter before the Village Plan Commission at their last meeting, and they recommended approval of the request, again, for the Comprehensive Plan Amendment to reflect the wetland areas as well as the C-1, Lowland Resource Conservancy District changes. Staff recommends approval of both the Comp Plan Amendment and the Zoning Map Amendment. And a roll call vote is required on the Comp Plan Amendment.

Michael Serpe:

Move approval of Ordinance 18-44.

Dave Klimisch:

Second.

John Steinbrink:

Motion and a second for approval of Ordinance 18-44. Any questions on the motion or the second?

Michael Serpe:

Is there a roll call on the first one?

John Steinbrink:

Any questions?

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Michael Serpe:

No.

John Steinbrink:

A roll call has been requested.

Jane Snell:

John Steinbrink?

John Steinbrink:

Aye.

Kris Keckler:

Aye.

Mike Pollocoff:

Aye.

Dave Klimisch:

Aye.

Michael Serpe:

Aye.

John Steinbrink:

Motion carries.

**SERPE MOVED TO ADOPT ORDINANCE #18-44 FOR COMPREHENSIVE PLAN AMENDMENTS TO THE WETLANDS RECENTLY DELINEATED ON VACANT PROPERTY LOCATED AT 7800 BLOCK OF 128TH STREET; SECONDED BY KLIMISCH; ROLL CALL VOTE – STEINBIRNK – YES; KECKLER – YES; POLLOCOFF – YES; KLIMISCH – YES; SERPE – YES; MOTION CARRIED 5-0.**

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Michael Serpe:

Move approval of Ordinance 18-45.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adoption of Ordinance 18-45. Any comments or questions on that?  
Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries. A request has been made to take Items C through F together. Motion to do so?

Michael Serpe:

So moved.

Dave Klimisch:

Second.

John Steinbrink:

Motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**SERPE MOVED TO ADOPT ORDINANCE #18-45 FOR A ZONING MAP  
AMENDMENT TO REZONE THE FIELD DELINEATED WETLANDS ON VACANT**



**PROPERTY LOCATED AT THE 7800 BLOCK OF 128TH STREET; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

- C. Receive Plan Commission recommendation, consider and approve Certified Survey Map to subdivide the GAR FARMS property into 2 parcels and for dedication of Greenway Court for the proposed Prairie Produce Farm development.**
- D. Receive Plan Commission recommendation, consider and adopt Ordinance #18-46 for Comprehensive Plan Amendment as it relates to the Prairie Produce Farm development and the 2035 Land Use Plan.**
- E. Receive Plan Commission recommendation, consider and adopt Ordinance #18-47 Zoning Map Amendments to rezone several items for the Prairie Produce Farm Development.**
- F. Receive Plan Commission recommendation, consider and approve Development Agreement for the proposed Dutch-style hydroponic green house to be known as Prairie Produce Farm.**

Jean Werbie-Harris:

Mr. President and members of the Board, this is a request of John Shannon, he's the attorney on behalf of Gar Farms, and he's requesting approval of a Certified Survey Map to create two separate lots on the Gar Farms property. There's actually a third lot that is shown, and that is the Village's recycling center property. The request this evening from Jim Herchenbach is for three different items, a Comprehensive Plan Amendment, a Zoning Map Amendment and a Development Agreement. His items were before the Village Plan Commission.

What he is specifically requesting to do is to create a Dutch-style hydroponic green house development located west of 122nd Street and east of 88th Avenue. This project was before the Village Plan Commission and Village Board last December of 2017. At that time he announced he was doing a 35 acre green house development that will grow produce year round. As you can see there were two phases that are being proposed as part of this project, the first of which is a 15.3 acre green house and support building including packaging lines, storage, loading docks, lab offices, watch or caretaker's apartment. And a phase 2 is just to the east which will include another 20 acres of green house addition. And at this time that second phase is subject to market conditions as well as the project and the start time of his project.

Specifically, again, phase 1, phase 2 of his development is intended to begin this spring. The entire proposed facility as we have indicated in a number of hearing before the Plan Commission and the Board is to create this green house facility. They intend to employ 35 full-time employees, delivery hours from 7 to 4, truck trips approximately one per day, maximum of three, onsite parking spaces of 61 parking spaces and some handicapped accessible spaces.

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As noted at the Plan Commission and Board meetings previously there will be a gated emergency access from the west that crosses through the Village's recycling center property. His main access to this site will be from the State Line on the new Greenway Court that's being dedicated by the Village. And then it's going to terminate in a cul-de-sac at the corner of his property. And his employees as well as truck traffic would go south towards the state line. There is another secondary emergency access. It will not be maintained during the winter months, but it's really a farm access that would extend from 116th Street south to the Prairie Produce Farm site or the green house site.

Again, the first item specifically is to address the Certified Survey Map. All the dedication and easement language has been vetted out between the Village staff, our attorney and their attorney. Again, this Certified Survey Map is being presented by Gar Farms with Mr. Clausen being the owner. The three lots that are being created, two, Lots 1 and 2 are from the Gar Farms property. Lot 3, again, is the Village owned property for the residential recycling center.

In addition, on this CSM there will be a dedication of right of way for Greenway Court leading down to the state line, and that will be a public road. As part of this development and his development agreement, Mr. Herchenbach's development agreement with the Village, Greenway Court will be resurfaced at his cost, and a turnaround will be placed at the end, constructed and resurfaced at that location along with public street lights, signs and development at the end for his project.

The wetlands on the property were field delineated and are included and shown on the Certified Survey Map. And as part of the Comprehensive Plan Amendment and the Zoning Map Amendment those wetlands need to be specifically delineated so that they can be reflected on the Comp Plan Amendment as well as the wetland areas to be placed into the C-1, Lowland Resource Conservancy District areas. The property is zoned A-2. It will remain as an agricultural district. And there is some floodplain on the corners of the property, and that will remain in that district as well.

As I briefly mentioned, the public improvements include constructing a rural cul-de-sac at the end of the paved Greenway Court, adding a final lift of asphalt, installing street lights. And, finally, in addition for his site we'll need to extend municipal water from the northwest corner of the site along his western boundary and down and around and into his site. The site will also be served by private onsite stormwater management for his development. Some other previous approvals and actions, the Plan Commission approved Site and Operational Plans and the DSIS system subject to these actions being taken by the Village Board.

So, again, the four items that are before the Board this evening, Certified Survey Map approval subject to the comments and conditions, Comprehensive Plan Amendment, the Zoning Map Amendment and the Development Agreement for this project. The staff recommends approval subject to all the comments and conditions. Again, separate action will be needed for each of the items with a roll call vote on the Comprehensive Plan Amendment.

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Mike Pollocoff:

I'd move for adoption of the Certified Survey Map.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second for adoption of the Certified Survey Map. Questions on this item?

Dave Klimisch:

Quick question, Jean. The Greenway Court at the end of this process the it will be a fully public road, the public works gate at the end will be opened?

Jean Werbie-Harris:

Correct. The public works gate at the south end will have to be relocated onto the Village's recycling center property off of the right of way.

Dave Klimisch:

And then there will be street lights extended along the length of that road or just at the north end?

Jean Werbie-Harris:

I think there were five streetlights, five or six streetlights that will be installed on Greenway Court.

Dave Klimisch:

Okay, widened, too --

Jean Werbie-Harris:

No.

Dave Klimisch:

-- or just resurfaced for traffic?

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Jean Werbie-Harris:

Right, just resurfaced. The existing profile will be resurfaced as it is.

John Steinbrink:

Other comment or question? Hearing none we have a motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**POLLOCOFF MOVED TO APPROVE CERTIFIED SURVEY MAP TO SUBDIVIDE THE GAR FARMS PROPERTY INTO 2 PARCELS AND FOR DEDICATION OF GREENWAY COURT FOR THE PROPOSED PRAIRIE PRODUCE FARM DEVELOPMENT; SECONDED BY SERPE; MOTION CARRIED 5-0.**

Kris Keckler:

Move approval of Ordinance 18-46.

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second for adoption of Ordinance 18-46. Roll call vote.

Jane Snell:

Mike Pollocoff?

Mike Pollocoff:

Aye.

Kris Keckler:

Aye.

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John Steinbrink:

Aye.

Dave Klimisch:

Aye.

Michael Serpe:

Aye.

John Steinbrink:

Motion carries.

**KECKLER MOVED TO ADOPT ADOPT ORDINANCE #18-46 FOR  
COMPREHENSIVE PLAN AMENDMENT AS IT RELATES TO THE PRAIRIE PRODUCE  
FARM DEVELOPMENT AND THE 2035 LAND USE PLAN; SECONDED BY POLLOCOFF;  
ROLL CALL VOTE – POLLOCOFF – YES; KECKLER – YES; STEINBRINK – YES;  
KLIMISCH – YES; SERPE – YES; MOTION CARRIED 5-0.**

Dave Klimisch:

Move approval of Ordinance 18-47.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adoption of Ordinance 18-47. Any discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

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**KLIMISCH MOVED TO ADOPT ORDINANCE #18-47 ZONING MAP AMENDMENTS TO REZONE SEVERAL ITEMS FOR THE PRAIRIE PRODUCE FARM DEVELOPMENT; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

Michael Serpe:

Move approval of the development agreement.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adoption and approval of the development agreement. Further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**SERPE MOVED TO APPROVE APPROVE DEVELOPMENT AGREEMENT FOR THE PROPOSED DUTCH-STYLE HYDROPONIC GREEN HOUSE TO BE KNOWN AS PRAIRIE PRODUCE FARM; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

John Steinbrink:

Item G has been completed.

**H. Consider and approve Declaration of Protective Covenants for Stateline 94 Corporate Park, Pleasant Prairie.**

Jean Werbie-Harris:

Mr. President and members of the Board, the Village staff has been working diligently with the Riverview Group, LLC, Jeff Raduechel and his team along with Scott Langlois in drafting the declarations for the Stateline 94 development. This is a project that we recently approved a TID district for for the development of some industrial buildings and an industrial corporate park that is located south of 110th Street down to 122nd Street in the Village. The developer declares that

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this property would be subject to these covenants, comments, conditions, restrictions and easements as set forth in these declarations.

Specifically, the purpose of the declarations, again, I'll just go these real quick, to ensure that the property will be maintained as an attractive setting for business, commerce and light industry with ample landscaped open areas, high quality structures, uses and appropriate development for each lot. To protect owners and occupants against improper development and use of the lots. To prevent construction of improvements which are inconsistent with materials or designs. To encourage the timely development of attractive improvements. To provide for adequate off street parking and loading facilities, signage controls and setbacks. To provide for the maintenance of common elements and landscaping elements. To provide for adequate stormwater management facilities, common areas as well as those items set forth in the Village's declarations and development agreement with them. And to facilitate and provide for utterly handover rights and responsibility from the developer to the association when the development is built out.

Specifically the declarations set for general restrictions. It addresses the fact that we will be creating a public street lighting district, and there will be assessment fees for public street lights. It addresses enforcement. The owner's obligation for taxes it has a special provision section for tax exempt and tax assessment covenant provisions that we have talked about in the past and were placed into some previously drafted, some declarations for Gateway and Main Street Market. It gets into some of the details of grading, construction as well as development standards, landscaping requirements, lot requirements, architectural requirements, signage requirements. It addresses grant of easements. And, again, with this development similar to others as they start to develop each of the properties certified survey maps will be put together. Dedication and restrictions and covenants will also be placed on those certified survey maps that re-emphasize some of the restrictions in the declarations and actually get a little bit more specific.

There will be a development control committee that reviews the project as well as the architecture of each of the buildings. There will be a corporate park association that is created as a result of this development. And there's a number of areas that we've added with respect to other provisions. It talks about nuisances and agreements and severability and a number of other legal terms that our attorney added to the document. The staff as well as the petitioner recommend approval. Again, this has been reviewed in detail with our Village Attorney Scott Langlois. We also had been sent the onsite lighting requirements which will be included as an exhibit. It just shows us what parking lot lights will be installed for the development. The staff recommends approval as presented.

Michael Serpe:

We're spending a lot of time on this project, and we're not seeing very many results. Just for the sake of argument I move approval of it. But I'd like to see something start taking place out there at some point in time.

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Dave Klimisch:

Second.

Jean Werbie-Harris:

I think they would, too.

John Steinbrink:

We have a motion and a second. Jean, anything else?

Jean Werbie-Harris:

No.

John Steinbrink:

Further discussion on this item?

Mike Pollocoff:

I think the adoption of these covenants ensures that land will develop the way we want it to. And if we all have the same suspicions that this current development might be the ultimate developer, it's more important that these things get adopted now.

Jean Werbie-Harris:

And they will be recorded on the property.

John Steinbrink:

So it's recorded with it, yeah. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.



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**SERPE MOVED TO APPROVE DECLARATION OF PROTECTIVE COVENANTS FOR STATELINE 94 CORPORATE PARK, PLEASANT PRAIRIE; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

- I. Consider and approve the Second Amendment to Purchase and Sale Agreement and First Amendment to Development Agreement between Village of Pleasant Prairie and Haribo of America Manufacturing, LLC.**

Nathan Thiel:

President and Village Board, this is more of a simple matter. In our discussions with Haribo we are in the process of grading the property and had the opportunity for some cost savings depending on how quickly they needed us to complete our grading efforts. In order to finish or complete the grading efforts this fall it would have required us to do quite a bit of liming of the soil, upwards of \$2 million. And so in our discussions with them and asking when they would be ready to start construction, there was a little bit of flexibility on their end. So we asked for an extension from the April 1st deadline for Village grading to be July 1. In so doing they just asked for a quid pro quo in extending or modifying the PSA and the agreement to allow for the dates for their construction and also our repurchasing right be extended the same three month time period. Most likely those last two dates will be unnecessary anyways. So this is a rather simple amendment, so I'd invite you to move for its approval.

Dave Klimisch:

Move approval of the second amendment to purchase.

Michael Serpe:

Second.

John Steinbrink:

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

Nathan Thiel:

It would also be first amendment to the developer's agreement as well.

Dave Klimisch:

Move approval of the second amendment to purchase and sale agreement and first amendment to the development agree to the Village of Pleasant Prairie and Haribo of America Manufacturing.

Michael Serpe:

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Second.

John Steinbrink:

Motion and a second. Any further discussion?

Kris Keckler:

And there was no hesitation on their end?

Nathan Thiel:

No.

Dave Klimisch:

It was a weather delay I'm guessing?

Nathan Thiel:

Yeah, the last month there's been quite a bit of rain. We were going full steam ahead with the dry weather in August and July, but there was a little bit of turn. We could still get it done this year, but it just doesn't make sense to throw money away, literally let it rain away for just the purposes of trying to hurry up and get it done when it may not have been that critical or that necessary.

John Steinbrink:

No further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**KLIMISCH MOVED TO APPROVE THE SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT AND FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN VILLAGE OF PLEASANT PRAIRIE AND HARIBO OF AMERICA MANUFACTURING, LLC; SECONDED BY SERPE; MOTION CARRIED 5-0.**

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- J. Consider, approve and authorize the Village Administrator to approach DOT for the purchase of 1.650 acre vacant property located at 4420 104th Street.**

Nathan Thiel:

So in your packets you have the details. Basically there was an appraisal done by DOT. This parcel is appraised at \$26,500. I would like to approach DOT in the purchase of this parcel primarily with its connection to the Village Green Center. If there are any questions I'd be willing to entertain them.

Michael Serpe:

I think the purchase makes sense. I'd move approval.

Kris Keckler:

Second.

John Steinbrink:

We have a motion and a second. Any discussion on the motion and the second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO APPROVE AND AUTHORIZE THE VILLAGE ADMINISTRATOR TO APPROACH DOT FOR THE PURCHASE OF 1.650 ACRE VACANT PROPERTY LOCATED AT 4420 104TH STREET; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

- K. Consider and approve the Vacant Land Offer to Purchase and Addendum A for the purchase of 72.066 acres known as Village Green consisting of parcel numbers: 92-4-122-234-0400, 92-4-122-234-0015, 92-4-122-234-0116, 92-4-122-234-0017 and 92-4-122-234-0119.**

Nathan Thiel:

Mr. President and Village Board, before you is vacant land offer to purchase for a total of five parcels. Currently the property owner is Mount Pleasant, LLC. The developer is Land and Lakes. The compilation of these parcels is approximately 72 acres. Earlier this year Land and

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Lakes approached the Village inquiring or explaining to us the desire to sell the property and their unreadiness to develop this site. In those discussions we mutually agreed that it would be easier to develop the site if the property came under the Village purview to go out and recruit future and potential developers.

The Village appraised the property, and that appraisal came to be \$3.7 million. At this point in time staff as we've reviewed it and discussed with Land and Lakes we would recommend the purchase of this property so that we can move this project of the Village Green Center forward. Personally I'm eager to see this project get started primarily to put Pleasant Prairie on the map and create a downtown and a central location and create a sense of space and place. If there are any questions I'm open at this time.

Michael Serpe:

Nathan, as we sell off the property to developers for the residential, we're confident that we'll get a considerable amount of this money back to the Village, is that correct?

Nathan Thiel:

That would be the intent, correct.

Michael Serpe:

This thing has been in the works for over 20 years. And now it looks like we're going to get it off the ground. I give you a lot of credit, Nathan, for negotiating this and getting it moving. So it looks good.

Nathan Thiel:

Just to add, Mike, the same thought process that was applied to the Abbott property is being applied here. Clearly we had a potential prospect at the time, Haribo, and that made it easier. This is an investment by the Village for the Village in a sense. We do have prospects out there but nothing certain like Haribo was. However, I am confident in the position of the Village and feel that is in the best interest of the Village.

Dave Klimisch:

Move approval.

Mike Pollocoff:

Second.

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John Steinbrink:

We have a motion and a second. Any further discussion? As Mike said it's been in the works for 20 years, and this is the next logical step forward, keep it moving. If there's no further discussion those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KLIMISCH MOVED TO APPROVE THE VACANT LAND OFFER TO PURCHASE AND ADDENDUM A FOR THE PURCHASE OF 72.066 ACRES KNOWN AS VILLAGE GREEN CONSISTING OF PARCEL NUMBERS: 92-4-122-234-0400, 92-4-122-234-0015, 92-4-122-234-0116, 92-4-122-234-0017 AND 92-4-122-234-0119; SECONDED BY POLLOCOFF; MOTION CARRIED 5-0.**

**L. Presentation of the 2019 General Fund Budget.**

Kathy Goessl:

On September 20th we had a working session on the 2019 general fund budget. At that meeting we discussed some changes which I will address as we go over the decision packets and capital requests. Overall we had a contingency at the time of a little over \$134,000. That contingency was used to fund a full-time municipal code enforcement officer as recommended by the Board at that working meeting which cost \$53,509.

And in the last couple weeks we got our insurance bid, and we decided to use the majority of the rest of the contingency to increase health insurance from -- we had budgeted three percent to ten percent bringing the contingency down to only \$14,000. The health insurance estimate actually came over 20 percent, but at the end of 2017 we have a health insurance reserve of a little over \$1.7 million which has been built up over the last seven years since we implemented a health reimbursement account and increased our deductibles to reduce our costs. Any increase over ten percent will be covered by the health insurance reserve. So those are the changes that were made since the working session. So as we go through the overview here I'll point a couple of those out as we go along.

This first slide shows the operating revenue, what our 2018 budget is and what our 2019 proposed is and the changes in those areas. Property tax has been reduced by the amount of a personal property tax aid that we will be receiving from the State of Wisconsin of \$285,205. Other taxes include mobile home taxes, hotel tax, property tax penalty, ag use penalty and other taxes. The

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increase is a conservative estimate of our increase in hotel taxes from the new Fairfield by Marriott Hotel. Intergovernmental revenue includes grants, shared revenue, exempt computer aid and state payment for municipal services. This also includes a new personal property tax aid of \$285,205 offset by a reduction in law enforcement grant that we have budgeted.

The next slide is license permits up \$367,000. This includes building permits, licenses including liquor, bartenders and dog licenses, our property record maintenance fee and zoning permits. Increases due to building permits increase of \$270,000 and zoning permits of \$93,000. Fines, municipal court and parking tickets increase this year is attributed to municipal court revenue. And then public charges for services up \$41,873, the increase attributed to small increases across all departments in this area. Intergovernmental charges is up \$25,000 and includes assessing contracts, our school officer, billings to Kenosha Unified School District. Both of these billings are up over previous year's budget. Other revenue includes cell tower leases, interest on investment. Interest investments is anticipated to be up \$25,000 in this area or more. And the last line in our revenue is utility tax transfer. It's a tax paid to general government from the water utility which is going to be up \$127,000. So total overall our revenue sources are going to be up 3.5 percent or a little less than \$600,000.

Here's a graph of our revenue. As you can see the property tax accounts for the largest amount which is 52 percent of our revenues or \$9.1 million in 2019, followed by intergovernmental revenue of 14 percent or \$2.5 million in public charges for services of 12 percent or \$2 million.

Then we switch to operating expenses and how we spend the revenue that we received in general government. This is base budget only without decision packets. General government includes our Village Board, municipal court, admin, Village Clerk, IT department, HR department, finance, contingencies in there, assessing, Village Hall and Roger Prange. Some departments are down, some are up, no big changes. Overall these departments are up \$26,000 in total for ten departments.

Public safety is police, fire and rescue, inspection and public safety communications. Most departments up some for a total increase of \$87,000, less than one percent over last year. Public works includes the public works, the road, engineering and streetlights. That area is up slightly 1.3 percent, \$37,000. Parks are down \$58,000, \$53,000 of that is due to the allocation of public works staff to the parks department. Public works has a pool of full-time and part-time employees that they allocate between highway, parks, clean water, solid waste and fleet. In 2019 less hours have been allocated to parks, more hours to public works which is the roads segment, clean water and the fleet.

Community development is up mainly due to increase in wages and benefits of \$27,000 offset by a reduction in other expenses. So overall our operating expenses are up \$110,000 which is only .6 percent. This does not include decision packets. This is the base budget in each of these areas.

This is the operating expenses by function. You can see the biggest is public safety which attributes to 57 percent or \$9.7 million, followed by general government which includes 11

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separate departments at 21 percent or \$3.6 million. And you can look at the other departments, public works then community development and parks.

Most of our expenses is personnel which accounts for \$13.5 million or 79 percent of our operating expenses. Over half of the benefits is health insurance at \$2.3 million of the \$4 million of benefits. These are our other operating expenses. The major ones, the top five which are over to the left is, first of all, fleet charges of \$599,000. That's what the fleet internal service fund charges for the use of the vehicles by the general government. Electric at \$419,000, software maintenance of \$415,000, minor equipment at \$259,000, and then the last topped off by salt at a little over \$208,000. Top five for 2019 proposed budget total is \$1.9 million which is up by \$86,000 or 4.7 percent compared to last year.

These are the decision packets that are being recommended that are reoccurring. The first three are revenue increases for the dog license fee, application fees and CD and record fees in the police department. Then we have an officer mental health assessment for \$10,000 for the police department. The police department requested two officers, administration is only recommending one officer plus equipment for \$89,825. The part-time landscaping position to go to full time for a little over \$51,000. And then dispatching, some of the dispatchers going from part time which currently they work 32 hours a week to 40 hours a week, this includes a savings of some overtime in this budget decision packets.

And then we moved to replace the emerald ash borer trees to an operating expense, and we changed the name of it to annual tree maintenance. So we're going to keep \$30,000 a year operating in the parks department to do the beginning emerald ash borer for the trees, but then going for other tree maintenance as well. And then we have eliminating residential burn permits from the fire department of loss of revenue of \$485. And then the only change from our working meeting was the movement of the full-time municipal code enforcement officer to being recommended at \$53,509 which includes a revenue offset of \$21,840 which is community development billing, other revenue. They've saved some time because this officer will be doing some things they have to do right now. So total recurring is \$296,710.

Now we look at decision packets being recommended as only one time. These are totaling \$243,821. And we're going to use the reserves that we have built up over the years to pay for these one-time decision packets. So we have from the fire department the top three, Station 2 LED lighting replacement. That's supposed to be hydro tested. The breathing air cylinders, every five years these need to be tested. And these devices were purchased in 2014. A fire staff study is being recommended in lieu of hiring additional fire staff. We want an outside organization to be evaluated. And if we have to proceed with the number of firefighters they want probably needs to go to referendum so we need some backing for that.

The comp survey by HR is complete. With the tight market we need to evaluate wages and understand the market and see how we compare. And this also adds onto the study we did in 2017 with the public works area. Then we have parks with the bridge at Brookside for \$10,000.

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For the police department we have chairs for the detectives in conference rooms. We have Glock handgun replacement and probationary uniform allowance for the police department.

And then we have a couple of Roger Prange, electric outfits in the police department, the storage bay floor epoxy seal which we've moved from capital because our capital limit has increased to \$40,000 for building improvements. Security fencing around Prange for \$40,000. We have for Village Clerk general code editorial and legal analysis of our ordinances. And then repairing at the Village Hall the courtroom and the Village Hall entrance doors for \$22,000. And then we have public safety communications study being done by IT for the police and fire communications for \$30,000. That totals \$243,821.

This is a summary of the budget. It shows property tax for the revenue from the top and expenses on the bottom. And we've got property tax as we mentioned before a decrease of \$285,000 because of the personal property tax aid that we're getting. We're required to reduce our levy by that because we get it as a separate payment. Then we have other revenue up \$752,000, and the utility tax transfer up \$127,000 for a total of \$595 change in revenues.

And then we have base expenses which we went over before on the previous slide. And then we have the reoccurring and one-time decision packets we went over on the other slides. And then we're also recommending because in 2017 we were able to finish the year with over \$1 million addition to our reserve. So we're recommending transferring that out to the capital fund \$850,000. That's a one-time transfer use of reserves to help fund some of the capital requests that were submitted. So last year our budget used \$187,800 for one-time reserves, and this time we're using a little over \$1,093,000 which we do have. And right now our fund balance policy is to spend anything over 30, and we can spent anything over 25. Currently with this budget being proposed we'll end the year with a \$5.3 million reserve or \$29.7 so right below 30. Any questions on the operating section of the budget?

Otherwise we'll move on to capital. Capital we are actually increasing property tax by \$710,000. Part of it was moved from general government, that \$285,000 that I mentioned that we reduced general government. And then we also are putting all the growth that we received for the levy into the capital project fund. Our road grant increased by \$127,000 which is the max increase of 15 percent that can be given for this grant. We are not recommending any borrowing for 2019. You can see the transfer in of \$850,000 that I mentioned in the previous budget from operating to capital.

And then other includes the final use of the fire and rescue replacement fund of \$38,558 to fund part of the ambulance that we're recommending. And then another \$175,000 is for either sponsorships or fundraising for the command post vehicle that's being recommended for fire and rescue and police. And then we're receiving a one-time payment from the state for the ATC lines being run through the Village of \$159,627. So that's some of the things that are in the other revenue line. You can see revenue is looking to increase by a little less than a half a million dollars or 15 percent from the previous year budget. Most of that is in the \$850,000 or a big chunk of it. Because we're not borrowing that offsets it.



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Capital outlay 2017 estimates, that second column, is less than the budget because a couple projects that were approved in 2018 are now being carried over to 2019. Land sales, in 2018 we budgeted for land sales on the land that we owned in Bristol. We haven't yet sold that land yet, but we are accounting for it in a different way and actually putting it on our balance sheet as land for resale instead. So we will not see the sale come through. We are looking at hopefully selling it next year, but that will just be partly on the balance sheet, and any excess will go into the revenue on the income statement for the capital project fund.

Impact fees are collected and spent in the capital project fund. We spent \$204,000 in 2018. That was for the purchase of the new site or the final payment for the new site for the police station. And we're planning on spending \$40,000 in 2018 for an open shelter at the Prairie Springs Park.

These are the recommended over \$50,000 for the paving program which was requested at \$1.8 million, and we are recommending funding that in total with the levy. An ambulance of \$309,581, we're recommending funding that with the majority of the levy, and then using the rest of the funds in the fire replacement fund. Mobile and portable radios and pagers for fire and rescue \$195,329 approved for the levy. And replace roof at Prange \$180,000 using the levy. The command post communication vehicle for fire and rescue and police \$175,000. That's something that was not recommended before that during our discussion we decided to move that up, but needs to be funded by a sponsorship or a donation or a fundraising, means not the levy.

Vehicle replacement for the police \$108 for levy and previous vehicle resales. HVAC and boiler replaced at the Prange \$95,000 levy. An additional fleet vehicle for the police and all parks ADA compliant parks, there's one park that has been picked that will get ADA compliance, a path and some equipment there of \$51,000. And then a fiber connect LakeView West water tower \$50,875.

Nathan Thiel:

Kathy, can I just interject for one point. With the paving program it is important to note that the levy isn't funding the entire amount. There's also the road grant portions that we receive in the capital. I just want to point out that it is important to note that those dollars are earmarked towards that specific function.

Kathy Goessl:

Yes, so on this slide the road grant portion here of \$977,000 helps offset the amount we have to levy for everything we're approving in capital. That's one of the revenue sources. And then we have under \$50,000 totaling \$310,000. We have like five IT projects here, another fiber connect, cell technology, emergency services, Board agenda software, fiber security and to record all voice and radio for public safety.

For the Village Clerk, I'm kind of skipping around here, we have the e-poll books on the approved list. Back to the top of the list using impact fees we have the Prairie Springs Park open

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shelter, and then we have rebuild salt shed wall in public works. And another park project north ball field parking overflow.

So on this list is the total, over \$50,000 under \$50,000 and then the paving program. And then we have the carryover projects of \$964,000 to total our capital purchases and projects being recommended of \$4,351,454. The carryover projects are the transportation plan for roads for \$65,000, replace the 1990 pumper tanker for \$881,573, and the automatic license plate recognition of \$18,988 is being carried forward from 2018 approved.

This is a summary of the fund balance. The 2018 budget fund balance is negative because in the beginning we had the Bristol land purchase that was budgeted or planned for, that's why we start out with a negative fund balance. At the end of 2018 because we're carrying over the pumper tanker replacement the \$881,000 is being carried forward and is a borrowing balance at the end of 2018. So we're looking at a fund balance unreserved at 2019 going up from \$380,000 in '18 to \$648,000 in '19.

Our final fund is debt service. Again, there's the 2018 budget, 2019 proposed and the change. This budget is pretty much not changing much compared to 2019. We're looking at a property tax decrease of \$15,605. Other revenue is special assessments and interest earnings going up a little over five. Then in payments our main payments here are just principal and interest payments going down \$10,528. We balanced this budget so revenues equals expenses. And we are ending the year with a little over a million dollars in fund balance.

This is our general government debt and how it the balance has ended, ended the last couple of years and what we're proposing for '19 and '20. In 2018 the middle one we borrowed \$1.4 million for a rescue pumper fire engine and ambulance and to finish the dark fiber ring, and we paid \$1.5 million ending the year down \$117,000 in '18. In '19 we're not recommending borrowing long-term in 2019, and we're paying off \$1.5 million in principal. So you can see it dropping from \$10.3 million to \$8.8 million. And then in 2020 we're unsure if we're going to be borrowing in 2020, but we're paying off \$1.5 million in principal. So when we get to 2020 we'll determine how we want to proceed with additional borrowing.

Now we'll look at the levy. This is the Village's levy calculation. Our levy last year was \$11,883,252. We had growth of 6.99 percent to give us additional levy of \$705,081. We had to do a debt adjustment, we had to minus our 2018 debt and add our 2019 debt. That's a net change of minus \$10,525. And then we had the personal property aid which they minus off our levy of \$285,205. So our 2019 levy limit for the state calculation is \$12,292,605 which is an increase of \$409,353. Which the majority it we directed as you can see to the capital fund.

This is where our levy goes. General government tax levy is \$9.1 million, or 73 percent of our total levy is directed toward operating. And debt levy is \$1.7 million, and capital levy increased by \$710,000 up to \$1.4 million. We shifted to operating last year they levy more, we've shifted back to capital, and we're considering that to be kind of like a reserve for the future in terms of what's happening with We Energy. Capitals are important, but they're not required to be done so

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we have a little bit of leeway there if things don't go the way we want in terms of the We Energy situation.

Assessed value and the Village mill rate this is historically from 2010 to 2019 how the mill rate has changed and how the assessed value has changed. You can see the assessed value is estimated to go from \$3.16 billion to \$3.6 billion in 2019. The mill rate is looking to decrease 35 cents from 4.6 to 4.24. So what does this mean on a median residential home? We had a revaluation this year, so the assessed value on average median home has increased 15.4 percent. And with this budget that we're proposing the Village property tax for this median residential home would increase \$62 or 6.57 percent. So that's my presentation. And we're looking for approval to set a public hearing date for November 19th.

Nathan Thiel:

I'd like to just make the comment that I feel that the Village staff took a significant amount of time reviewing and assessing the needs of the Village. One point that I would just make is that generally speaking our property values are increasing, but as we see tonight the mill rate has depressed because our mill rate is decreasing because those values are increasing. The burden is not being increasing at the same amount. And so I think that that's just a critical piece to recognize and appreciate that the burden is significantly less than what should it should be based on just the value and improvements on the homes and the properties themselves.

Michael Serpe:

I have to give Kathy a lot of credit and staff. Kathy watches this budget like it's her own, like it's her home budget. And a lot of credit to the assessing staff as well for coming through with accurate assessing for the entire Village, both commercial and residential. There's a lot of speed bumps ahead for us that we're going to have to deal with at some point, the dark store problem, zero levy increase. And as I see it right now we're still going to be supplying or providing the residents with the same services that they've been used to for the last number of years. And that's a credit to the people that work in this Village, department heads and all the employees. So I commend Kathy and the staff and Nathan for putting together a very responsible budget, and I would move approval.

Dave Klimisch:

I concur with what Mike said. There's a lot of moving parts or a lot of unknowns, and the entire staff works hard. With what we do with the budget we have I think stands up to any municipality in Wisconsin and probably across the country. We do a lot with the financial resources, we make up for it when we hire the staff. So I second Mike's move.

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John Steinbrink:

We have a motion and a second. Any further discussion? Mike is correct with the speed bumps ahead, and the dark stores is one of them. That's actually pretty easy to solve. And we keep hearing from Madison how they tout that they're out there saving and protecting the taxpayers, and I'd sure like to see them do that with this. This would be a real savings to the taxpayers and a protection. It's simple. It just needs to be done. And if there's going to be one or two people up in Madison obstructing it, our representatives need to take more of an aggressive approach to this and make sure they're working for the people they represent and not the lobbyists up in Madison. So hopefully this is going to move ahead.

And I commend the Village staff all our departments for the work they do because we are recognized as a community with top notch services, and we do that on a pretty tight budget. And it's definitely appreciate by the taxpayers. Further discussion? If not it's just a present, correct? We don't need to vote on setting a date or anything here?

Kathy Goessl:

No, I'm looking at date of November 19th, the Monday before Thanksgiving. And we'll publish it in the paper.

John Steinbrink:

Thank you, Kathy.

Kathy Goessl:

You're welcome.

**M. Consider and approve the Pilot Agreement between American Eagle Pleasant Prairie LLC and the Village of Pleasant Prairie as it relates to the sale of Brookdale Senior Living facility.**

Kathy Goessl:

A month ago American Eagle approached us to approve their financing. And then at that point we started talking to them about a pilot agreement because they were considering filing for a property tax exemption. So in front of you tonight is the pilot agreement that we finalized over the last month for American Eagle with the Village of Pleasant Prairie. This is to do with the Brookdale Senior Living at 7377 88th Avenue. And this agreement pertains to American Eagle as well as anybody that may purchase the property in the future if they file for exemption. And any portion of the property that is exempt they will need to pay the Village a pilot, and it will be equal to the amount of tax that they would pay on the Village portion of the tax bill. This is in consideration for the services that we provide that property. A senior living facility requires a lot

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of Village services from fire and rescue. So I'm looking for approval of this pilot agreement for an annual payment to the Village if the property goes exempt or any portion of it goes exempt during a calendar year.

Dave Klimisch:

Move approval of the pilot agreement.

Michael Serpe:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KLIMISCH MOVED TO APPROVE THE PILOT AGREEMENT BETWEEN AMERICAN EAGLE PLEASANT PRAIRIE LLC AND THE VILLAGE OF PLEASANT PRAIRIE AS IT RELATES TO THE SALE OF BROOKDALE SENIOR LIVING FACILITY; SECONDED BY SERPE; MOTION CARRIED 5-0.**

**N. Consider and approve Resolution #18-37 authorizing RBC Wealth Management to manage a portion of our Cash Reserves pursuant to our Investment Policy.**

Kathy Goessl:

Mr. President and Village Board, I was contacted my investment advisor that used to work for Morgan Stanley, and I also received a letter from Morgan Stanley shortly after I was contacted saying that Morgan Stanley will no longer service government accounts. Our investment advisor, Roseanne Kelly has gone to RBC Wealth Management, and they're requesting that -- I mean Morgan Stanley is telling us that we need to get our money out of Morgan Stanley and moved. And so I'm asking for this resolution to move our money to RBC Wealth Management. For the whole life of our Morgan Stanley agreement Roseanne Kelly has been my investment advisor. We have \$1.2 million of sewer replacement fund with her and \$8.4 million of general cash reserve with Morgan Stanley. So I'm asking for authorization to move the money in Morgan Stanley which are mainly CDs and treasuries to RBC Wealth Management.

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Michael Serpe:

Where is RBC located?

Kathy Goessl:

They have an office in -- they're actually World Bank of Canada, but actually their offices are located in Minnesota. That's the office I would be dealing with.

Kris Keckler:

Move approval of the agreement with the noted change. There was a couple references to RBS instead of RBC in the middle of the resolution.

Mike Pollocoff:

I second it.

John Steinbrink:

Motion and a second. Further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KECKLER MOVED TO APPROVE RESOLUTION #18-37 AUTHORIZING RBC WEALTH MANAGEMENT TO MANAGE A PORTION OF OUR CASH RESERVES PURSUANT TO OUR INVESTMENT POLICY; SECONDED BY POLLOCOFF; MOTION CARRIED 5-0.**

**O. Consider and approve a new liquor license agent for Stateline Quik Shop.**

Jane Snell:

Mr. President and Village Board of Trustees, Graham Enterprise dba Stateline Quik Shop has submitted a request to change the agent who holds a Class A fermented malt beverage license. They are located at 12720 Sheridan Road in Pleasant Prairie. The previous agent is no longer employed at the establishment, and they are requesting Dawn L. Butterworth be appointed as

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successor agent. The requirements have been satisfied in submitting this request, and Chief Smetana has completed and approved a police check with respect to Ms. Butterworth. I recommend approval of Dawn L. Butterworth as successor agent for the Stateline Quik Shop.

Kris Keckler:

Move approval of Mrs. Butterworth.

Mike Pollocoff:

Second for Butterworth.

John Steinbrink:

Any discussion on Butterworth. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KECKLER MOVED TO APPROVE A NEW LIQUOR LICENSE AGENT, DAWN L. BUTTERWORTH, FOR STATELINE QUIK SHOP; SECONDED BY POLLOCOFF; MOTION CARRIED 5-0.**

## **8. VILLAGE BOARD COMMENTS**

John Steinbrink:

Just one comment. We went over the budget this evening. Worth noting thank you to everybody again. This is an ongoing year long project. As soon as one is done the next one starts. Something the department heads always look forward to is that new budget and licking the wounds over the old one and moving onto a new year. So kind of like Christmas, sometimes you don't get what you want but there's always next year. And hopefully you keep believing in Santa Clause and it comes true. But I've got to give department heads credit. They bring forward items that really help the Village and make their departments run better and more efficient usually at a cost savings. And technology is one of our bigger expenses around here. And as we keep moving forward it surely has surpassed me. As Trustee Serpe and I say we're just too old. It's just amazing what the folks are able to do with this technology and to make all their departments to run more success and efficient.

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Mike Pollocoff:

Mr. President, I'd like to echo your comments on what the staff has done. We have a group of professionals that get a lot of work done with meager resources. And in my years of watching these budgets come by what's become more noticeable to me is how much more pressure there is on municipal operations because of the different parties seeking exemption and don't want to be subject to tax, or they want some relief from taxes. And I'm afraid it's going to keep getting worse if there's not some way to find it to stop.

But at some point I think most people have some concept or understanding if they're not a municipal employee of the costs of providing police to someone's house, to patrol their neighborhoods, to get a paramedic there when they need it, to plow the streets in the winter and repair them when they're needed and to take care of the functions of Village finance, making sure that people have a good, safe voting environment that's accurate, that the Village is well engineered. This is a professional operation. And consistently we're having to find ways to get somebody to do the simple act of paying their fair share of taxes.

And this community being drug by the state along with all the other communities is having to deal with the impact that privileged and well lawyered companies and interests are using to separate themselves from the burden of government that everybody else has. And until it stops I mean we really shouldn't be having to adopt something on our agenda to make sure that somebody pays their taxes because they were able to find a loophole to get out of it. And I think if that doesn't stop it's going to get worse. And the number of people who are really carrying the load of paying for the cost of government is getting smaller and smaller.

And it's distressing especially when you see a group of professionals like we have who are really pounding it out each year to get things done and provide good services. And those same people who are seeking exemptions are not shy about using those services at their will and desire. So hopefully we'll have a better year with the legislature and getting that done.

John Steinbrink:

All about trickle down government, right? It all trickles down to Madison. Further Village Board comments?

9. **ENTER INTO EXECUTIVE SESSION PURSUANT TO §19.85(1)(E) WIS. STATS., TO DISCUSS, DELIBERATE OR NEGOTIATE THE PURCHASE OF PUBLIC PROPERTY, INVEST OF PUBLIC FUNDS, OR CONDUCT OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION.**

John Steinbrink:

A roll call vote is requested.



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Michael Serpe:

I move we [inaudible].

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second.

Jane Snell:

John Steinbrink?

John Steinbrink:

Aye.

Kris Keckler:

Aye.

Mike Pollocoff:

Aye.

Dave Klimisch:

Aye.

Michael Serpe:

Aye.

John Steinbrink:

Motion carries.

**SERPE MOVED TO ENTER INTO EXECUTIVE SESSION; SECONDED BY POLLOCOFF; ROLL CALL VOTE: STEINBRINK – YES; KECKLER – YES; POLLOCOFF – YES; KLIMISCH – YES; SERPE – YES; MOTION CARRIED 5-0.**

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**SERPE MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING;  
SECONDED BY KECKER; MOTION CARRIED 5-0 AND MEETING ADJOURNED.**