

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
February 19, 2018
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, February 19, 2018. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Steve Kumorkiewicz, Dave Klimisch and Mike Serpe. Also present were Tom Shircel, Interim Village Administrator; Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Police Chief; Craig Roepke, Fire & Rescue Chief; Rocco Vita, Village Assessor; Matt Fineour, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, Human Resources Director; Dan Honore, IT Director; Sandro Perez, Inspection Superintendent; Mary Jo Jiter, Communication Director, Craig Anderson, Recreation Director and Jane C. Snell, Village Clerk. No citizens attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PRESENTATION

A. Present Pleasant Prairie Police Association Appreciation to Sara Borst.

Chief Smetana:

Thank you, Mr. President and the rest of the members of the Board. It is my pleasure to once again, or a second meeting in a row, be able to recognize the fantastic Village resident who has supported law enforcement not just through Pleasant Prairie but through Kenosha County as well. I first met Sara Borst back in 2016 when she came to our building, and she actually made a call first and then stopped in requesting our participation in something she was going to put on. She identified it as an appreciate day for law enforcement.

We get a lot of calls like that, and we have a lot of communication with people who want to express their appreciation to the agency and law enforcement in general. So I didn't know how much was going to be involved in that. After meeting Sara she is the consummate young professional who we search for in our community to help out with all sorts of events. She's community minded, and she's got a real desire to show law enforcement the appreciation that she feels that they deserve.

When I again first met her and I went into what's behind this. And she talked about her father's service in the armed forces, her brother's service in the armed forces and how she appreciated that, and how she wanted to give back to the community a little bit. So the event she put on was monumental. The first event was put on down at the Kemper Center. It was a day long event

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involving not only showing appreciation to the officers but to their families as well. So after that I realized exactly how huge this was going to be and how difficult it was going to be to be able to put that on and to organize it. So I wasn't really expecting it to happen in 2017. And Sara came back again in 2017, and she did it even bigger and better.

So in recognition of Sara's devotion to the Village and to law enforcement I thought it extremely appropriate to recognize her with a plaque. Now, when I first advised Sara that I was doing this she was a little hesitant I think to say the least. She's not in it for the appreciation. She's not in it for that. But I think it's extremely appropriate. So the plaque reads in grateful recognition of your ongoing commitment and caring for the officers, staff and families of the Pleasant Prairie Police Department our sincerest thanks and gratitude, signed Chief Dave Smetana on this date 2018. Sara, can I have you come up?

Sara Borst:

Dave, thank you for your generous and thoughtful words. I am very, very grateful to be here before you tonight. Dave did not know me until two and a half years ago when I reached out to him at the county wide event for law enforcement. He expressed no hesitation in saying yes, count me in. Personally I think this says a lot about the importance that he places on building relationships between police and the community. I had a vision and he warmly welcomed it. Because of this I'm so thankful to be able to call him a dear friend and for the friendships I have both with the other officers and their families. So, Dave, thank you for taking a chance on me.

A little over two years ago a police officer emailed me following the first annual appreciation day event. He said quite candidly that aside from community support for a fallen officer it is the greatest level of appreciation for law enforcement that he has ever seen. This comment really stuck me. And I know there is a lot of work to be done, and we can do better and we can do more.

I'd also like to say that so many people surrounded me asking how they can help and how they can do more. So none of these events to date would have been possible without the generous support of individuals and sponsors from our own community. The Village of Pleasant Prairie is full of outstanding individuals.

I believe that every person has the ability to be an agent of change in improving their community. Even the smallest actions in time can reap lasting impacts. In going forward my goal is to inspire younger generations to continue building morale in the law enforcement community. With the risks and sacrifice our officers make for us it's the very least we can do, and we owe it to them. Thank you.

Michael Serpe:

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Dave, could I ask a favor of you and Sara? This is a special group back there, firefighters and police officers standing together. I think we should get a photo of Sara and you and Tom Clark is he in here somewhere and the judge.

John Steinbrink:

Craig Roepke should be in there. Thank you, Chief. Thank you, Sara. Everybody appreciates the work these guys do, but oftentimes they never get the recognition they deserve. So by you bringing these forward they get that recognition, and I think the community really appreciates that, and the Board especially appreciate it. So thank you very much.

B. Present Resolution #18-02 for Appreciation and Recognition to Thomas Clark for His Years of Service to the Village of Pleasant Prairie.

Tom Shircel:

Thank you, Mr. President and Trustees. This is Resolution #18-02, a resolution of appreciation and recognition to Lieutenant Thomas Clark for his years of service to the Village of Pleasant Prairie. Whereas, Lieutenant Thomas Clark will retire on February 27, 2018, after twenty-seven years of service and commitment to the Village of Pleasant Prairie and the Fire & Rescue Department; and whereas, Tom began his career with the Fire & Rescue Department in October of 1990 as a Paid-on- Call firefighter and became full-time in May of 1995; and whereas, in December of 2001, Tom was promoted to the position of Fire Lieutenant; and whereas, Tom has been a long-time member of the Wisconsin State Fire Inspectors Association, and acted as President of the Association in 2014; and whereas, Tom worked on numerous prevention programs such as the WisSafe Smoke detector program and has been active in legislation to promote fire safety;

And whereas, Tom continued to proudly represent the Village as a Gateway Technical College EMS Instructor, in addition to teaching CPR and Advanced Cardiac Life Support courses; and whereas, Tom has been an immeasurable asset to the department, not only in his Firemedic position, but also due to his inspection and code knowledge which allowed him to assist in countless building projects throughout the Village; and whereas, the Village would like to acknowledge and sincerely thank Tom for his dedication and commitment to the safety and well-being of residents in the community as an advocate of residential fire sprinkler systems which prolonged exit times and improved survivability during house fires; and now, therefore be it resolved, that the Village of Pleasant Prairie hereby extends to Tom our sincere respect and appreciation for his service to the Village, our congratulations on a well-deserved retirement, and best wishes to for his continued success, health and happiness in the years to come. Considered and adopted this 19th day of February, 2018.

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Michael Serpe:

Tom, before we make the presentation and, Tom, before you speak we have to adopt the resolution. I move 18-02 be adopted.

Steve Kumorkiewicz:

Second.

John Steinbrink:

We have a motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries. Motion carried. Tom, care to say a few words, and we have a nice plaque here for you.

SERPE MOVED TO ADOPT RESOLUTION #18-02 FOR APPRECIATION AND RECOGNITION TO THOMAS CLARK FOR HIS YEARS OF SERVICE TO THE VILLAGE OF PLEASANT PRAIRIE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

Tom Clark:

Well, it's been a good run. Twenty seven years goes by fast. I've been afforded many opportunities through my career to do a lot of things. And it's all because of the Board also. This goes back many years ago. We've been given good equipment, we've been given the support in the fire department of the Board and the leadership of the fire department. I started out doing building inspections with the boom back in the '90s. And Chief Guilbert got me on board with that. I was very fortunate with that. I did become the President of the Fire Sprinkler Association in the state which afforded me a lot of travel time around the state including Madison. I went to Madison way more times than I wanted to trying to beef up the codes there, trying to make this a safer state. I can tell you Pleasant Prairie is top notch or one of the leaders in the state.

I was just telling Jean Werbie-Harris about how much I appreciated working with her department throughout the years. We worked together building a building right from the beginning. We put in our input. The builders know what we expect from them right from the beginning. That pays dividends in them also because that doesn't give them a moving target. I've talked to people around the state, they're always coming up with stuff here and there as the building's being built.

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The builders here always know what we want and what we expect out of them. They say we're tough but we stick to the codes. You've got to remember the codes are the minimum standard of how a building can be built safely.

Jean Werbie has spearheaded a couple of residential sprinklers in this community. I will always be grateful for that. She's always thinking life safety. We've always worked closely with the building department also. And we do dual inspections when a building is put on line. Nobody else does that. Everybody else just kind of -- if the fire department is notified of a building being built that's just a plus but usually they're not. Pleasant Prairie works closely together, all the departments, I've always noticed that. I've also gotten around the country at different meetings, and I can tell you by far Pleasant Prairie is one of the leaders of building buildings safely across the nation.

I want to thank my compadres here for coming out, police and fire. They're very dedicated people. We work very close with the police department, too, which has always been an asset to us. And, again, I thank the Board. I was definitely not expecting this. In fact I didn't hear about this until an hour ago. But I want to thank everybody.

John Steinbrink:

Thank you, Tom. Come up here, Tom. We have the official presentation of the plaque. Congratulations.

Steve Kumorkiewicz:

One issue that maybe not many people know here is that Tom's wife used to work in the office here in Pleasant Prairie, right, Tom? Your wife used to work here for about five years. So it's a family affair.

John Steinbrink:

Twenty seven years we wonder where it went. You were just this young guy a few years ago, and all of a sudden you're this handsome, debonaire, retired gentleman.

Tom Clark:

That's right, gray is better.

John Steinbrink:

That's right. Thank you, Tom. Thank you, Chief. Thank you all, you guys. Thank you very much.

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5. MINUTES OF MEETING - FEBRUARY 5, 2018

Dave Klimisch:

Move approval.

Kris Keckler:

Second.

John Steinbrink:

Motion by Dave, second by Kris. Any discussion on the minutes? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

KLIMISCH MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD REGULAR MEETING FEBRUARY 5, 2018 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:

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

7. ADMINISTRATOR'S REPORT

Tom Shircel: No report.

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8. NEW BUSINESS

Michael Serpe:

John, before we go on I'd like to make a motion to bring E, F and G and also Item K forward. E, F and G to be handled by our attorney Kevin Long, and Item K the dark store. I'd like to have that heard first.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO MOVE AND CONSIDER NEW BUSINESS ITEMS E-G AND ALSO K TOGETHER; SECONDED BY KECKLER; MOTION CARRIED 5-0.

- E. Ratify and approve settlement of lawsuit related to design and construction defects at RecPlex Aqua Arena.**
- F. Approve repair contract with Riley Construction as part of settlement of lawsuit related to design and construction defects at RecPlex Aqua Arena.**
- G. Approve repair contract with Van's Roofing, Inc. as part of settlement of lawsuit related to design and construction defects at RecPlex Aqua Arena.**

John Steinbrink:

Kevin, it's all yours.

Kevin Long:

Thank you. There's a memo in the materials for the Village Board that goes into greater detail with respect to this and it also has two agreements, two different settlement agreements. This is a

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process that began in 2013 and 2014 when Mike Pollocoff, then Village Administrator, working with Tom Patrizzi, the RecPlex Facilities Director, as well as Carol Willke who at that time was the Director of the RecPlex, noticed challenges with respect to the HVAC system at the RecPlex. Pleasant Prairie officials very carefully analyzed the problem, realized that there was a significant design and construction-related problem related with what was called the geothermal heating, ventilation and air conditioning system.

That process led them to a series of negotiations and discussions with parties, and ultimately because resolution on behalf of the citizens and stakeholders wasn't able to be reached without litigation, a litigation that began in 2014, that litigation uncovered some significant challenges with respect to that HVAC system and other challenges at the RecPlex related to the building envelope. All of that is laid out in the memo. The important thing to realize is that the officials working with counsel looked at the situation, analyzed the best decisions for the Village to make, and determined that moving forward would be appropriate.

An action was filed in 2014 in Kenosha County Courts. That action remains pending and has been resolved through a series of agreements at this time. Those agreements will result in the Village receiving a benefit of just over \$1.5 million that comes in really two forms. One is in the form of cash, \$679,500 that will be paid to the Village. The other is in the term of work or work that's being prepared by two contractors, Riley Construction and Van. Those are the two other agreements that are up for approval by the Village Board today.

There are two aspects of this, or three really, that should be noted here in concessions. The first is that because this was a complicated matter in litigation there have been some closed session meetings to discuss this because there was negotiation going on between the parties and significant negotiation. Ultimately there ended up being ten different responsible parties. Either the Village felt someone was responsible or another defendant though a different party was responsible. And, therefore, the negotiations became quite complex.

There was a challenge with respect to the matter in that two of the entities involved went out of business. One was a designer called Arnold & O'Sheridan. Another was a manufacturer named [inaudible] heat harvester chiller. Because those two entities went out of business that created additional challenges really for the Village but for all the parties involved in the matter. Therefore, for the reasons that have been discussed in closed session we felt that a resolution at this time on these terms was the appropriate and the best thing to do for the Village.

As indicated the Village's claims were in excess of the \$1.5 million, but we felt that this was the right decision for the Village to make at this time. I'll pause. The work that's going to be done is going to be supervised by the Department of Public Works and John Steinbrink, Jr. I would note that the Village will not be coming out of pocket for any of that construction-related matters which means that the public [inaudible] requirement is not needed for that particular work at this time. I would pause now to take any questions and invite any commentary or discussion from the Village Board members.

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What we are asking for are really three different things. One is a ratification of the authorizations previously given in executive session with respect to the resolution of this matter; the second is the approval for the repair contract involving Riley Construction; the third is approval of the repair contract with Van's Roofing.

Michael Serpe:

All litigation now with the exception of this is finished, done.

Kevin Long:

Correct. There will be two remaining steps. One is we will receive one additional check, and then paperwork will be filed in the Kenosha County Circuit Court that dismisses the action, and all parties have signed off on that process.

Steve Kumorkiewicz:

It was a long process definitely. I'm glad it's done, four years, five years almost.

Michael Serpe:

I think we all know, at least this Board knows and the staff knows the amount of work that Kevin had put into this endeavor, and it was huge. Much more than any of us thought it would take to bring this to conclusion. And, Kevin, I can't thank you enough for your efforts. And with that I'd approve the settlement of the lawsuit related to design and construction.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Further discussion?

SERPE MOVED TO APPROVE THE SETTLEMENT OF LAWSUIT RELATED TO DESIGN AND CONSTRUCTION DEFECTS AT THE RECplex AQUA ARENA; SECONDED BY KECKLER; MOTION CARRIED 5-0.

Kris Keckler:

I think this is one of those scenarios where the vast majority of the people that interact with the RecPlex and specifically the aquatic center they just want to experience quality time, whether it's at a meet or just to go out there for leisure and to not know the operations and expectations and fundamentals behind the operations. It's difficult and one in which that when you look at the

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settlement and all the time effort, because this has existed for my entirety of the Board, and that was going back to my very first meeting in dealing with this and watching how the Village has navigated through this entire process with all of the players and all of the complexities. And it's certainly gone on longer than I thought it would. But it's got more challenging along each step of the way. But to continue that service for the community and all of the parties that come from across the Midwest or the nation to come and experience a nice entertaining time it's just to move this along. So appreciate all the effort by you and the Village administration.

John Steinbrink:

With that we have a motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

Kevin Long:

And so the record is clear that is a vote with respect to the settlement of the matter?

John Steinbrink:

This is the ratification to approve settlement of the lawsuit, correct, Item E. Item F?

Michael Serpe:

Move approval of the contract with Riley Construction.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion? It wasn't an easy process. We've got to thank Mike Pollocoff especially and Tom Patrizzi and Tom and Carol and a lot of meetings, a lot of expertise and a lot of hard work went into it. And I know there were other Village people involved with it, too, which has led to the successful outcome we had here tonight. So thank you to all of you and, Kevin, especially to you for kind of guiding this ship through the pool.

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SERPE MOVED TO APPROVE REPAIR CONTRACT WITH RILEY CONSTRUCTION AS PART OF THE SETTLEMENT OF THE LAWSUIT RELATED TO DESIGN AND CONSTRUCTION DEFECTS AT THE RECplex AQUA ARENA; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

Kevin Long:

Thank you, it's an honor.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries. That brings us to Item G.

Dave Klimisch:

I move approval of the repair contract with Van's Roofing.

Michael Serpe:

Second.

John Steinbrink:

Motion by Dave, second by Mike. Further discussion? This is going to be overseen by our public works department and our people there. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

KLIMISCH MOVED TO APPROVE REPAIR CONTRACT WITH VAN'S ROOFING, INC. AS PART OF THE SETTLEMENT OF THE LAWSUIT RELATED TO DESIGN AND

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**CONSTRUCTION DEFECTS AT THE RECPLEX AQUA ARENA; SECONDED BY SERPE;
MOTION CARRIED 5-0.**

- K. Consider Resolution #18-05 to urge the State of Wisconsin Legislature to protect local businesses, apartment owners and homeowners from tax shifts relating to Dark Store and Walgreen property tax loopholes.**

Tom Shircel:

Thank you, Mr. President and Board members. This is Resolution 18-05, Village of Pleasant Prairie Dark Store Resolution. Whereas, homeowners in Wisconsin pay nearly 70 percent of the total statewide property tax levy; and whereas, the disproportionate burden of property taxes on homeowners will worsen unless legislators take action to close loopholes in property tax law that some national chain stores use to gain substantial reductions in property taxes; and whereas, lawsuits in Wisconsin are forcing local governments to lower the market value of thriving national chain stores, shifting the tax burden to local businesses, apartment owners and homeowners; and whereas, some national chain stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should be only half of its actual value on the open market.

And whereas, some national chain stores are using what is known as a dark store strategy to argue that the assessed value of a new, thriving store should be based on comparing their buildings to vacant or abandoned stores from a different market segment; and whereas, legislation to close these tax loopholes has been drafted, introduced and subject to public hearings by the Wisconsin legislature; and whereas, this legislation has sufficient bipartisan support in both houses of the Wisconsin Legislature to pass with wide margins; and whereas, there is only one more legislative session day remaining in the current legislative calendar;

Now, therefore be it resolved, that the Board of Trustees of the Village of Pleasant Prairie does hereby urge the Governor and the Legislature to protect local businesses, apartment owners and homeowners from tax shifts by passing legislation to close the dark store and Walgreens property tax loopholes. Be it further resolved, that the Board of Trustees of the Village of Pleasant Prairie directs the Village Clerk to immediately send a copy of this Resolution to Governor Scott Walker and the Village of Pleasant Prairie's legislative delegation. Passed and adopted if the Board wishes so on the 19th of February, 2018.

Michael Serpe:

How about if we pass the resolution and take some comments.

John Steinbrink:

Let's do that.

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Michael Serpe:

Move approval of Resolution 18-05.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion? Mike?

Michael Serpe:

I never like to see this Board get involved with other governments with problems. And we kind of remained apolitical for a good reason. It just makes for better government business. For years I have said Wisconsin always had a nice, clean government. I can't say that anymore. And the reason I can't say that anymore is because right now the majority of our leaders in Madison are paying more attention to the special interests than they are to the people that elect them into office. It amazes me to no end that they can sit up there and watch what we feel is going to be an enormous tax shift from the big box stores and Walgreens to the homeowners and small businesses of this state.

It's not just Pleasant Prairie. It's the entire state, and they refuse to address this. And they refuse to address this because I think they're beholdng to special interest. And if that's the case that is a shame, and they should be ashamed of themselves if that's what they're doing. I can't say enough about this memo. I hope does some good. I know we're not the only ones that are sending this stuff up. But this is very, very disturbing for anybody who is paying attention to what's going on in this state right now. This is very, very disturbing.

Steve Kumorkiewicz:

You know this morning we were [inaudible] breakfast with representatives [inaudible] here. Their excuse for not taking this case now, this bill, is that there's not enough time to study. And I asked what [inaudible] you guys in three months [inaudible]. We have been fighting this for five years. Two years ago Mr. Pollocoff and I we went to Madison [inaudible] about this issue. What did they do with it? Nothing. Last year finally they can say, oh yeah, we support that. Where were they the last four years before that when we were pushing this. Now they say it's a very complex issue because [inaudible] dark stores. Yes, I agree with that that it's a simple issue.

[Inaudible] empty lots and deteriorating buildings and the [inaudible] they got. So what happened? At least they built the building, they got [inaudible] but the property go to another entity of the company to support all the buildings. So that particular store lease the building from that group and that's the problem. I can see this issue being separate and being bad. But a dark

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store [inaudible] in a short time. Here we've been fighting it for four years and nothing happen and now they back off.

Another thing I told [inaudible] yes you guys pass this resolution at the end of the year. So what happened? We've got to wait another year to get [inaudible] and then they went to court and they want to fight that. Wisconsin manufacturer and commerce [inaudible]. It's another issue. [Inaudible] with Sanmina and Target we've got to give them money back for three years. And I asked them this morning, I asked are you going to pass a law making them give us the money back that [inaudible] for three years? Oh, no, we can't do that. [Inaudible]. But I want to see what they say. The only thing that we [inaudible] to our people in Madison is the salary, all the fringe benefits come from the special interests. [Inaudible]. It's unbelievable. You people have no idea what's going on in Madison. [Inaudible] every week once or twice a week when they come out. [Inaudible] make them think about it. What are they doing? They work for us or the special interest? And you know the answer. That's all I can say [inaudible].

John Steinbrink:

Thank you, Steve. Kris?

Kris Keckler:

It's unfortunate that -- I don't want anybody to feel like they're wasting their time or that this resolution won't have any impact. But for the immediate future it almost seems to fall on deaf ears. We can say our statements up here, we can give our promotion and endorsement of this resolution which we certainly will, but we need the help of the community. And we put it out in newsletters, but we need other people to kind of spread this word. And what would be unfortunate is the significant increase in the property owners and their tax bills and the shift of the tax base over to the residential parties.

This is certainly not a resolution to dissuade businesses from coming to the Village and attempting to have a nice outcome in that regard. It's to stop the abuse and exploitation that some of these organizations and companies have experienced and gotten away with in other communities. And other states as Steve mentioned have taken that step to address this and address it correctly. And it's extremely unfortunate that after multiple meetings over a lengthy period of time that our elected officials for those that have the ability to make this improvement it falls on deaf ears. And it really is a shame. And unfortunately the businesses know exactly what they're doing, and all they're doing is costing taxpayers additional time, money and frustration. And government bodies such as these unfortunately feel like they're spinning their wheels. And that's the shame of it.

Dave Klimisch:

Over the next decade the leadership in Madison is going to be allowing a tax increase of \$7,000 to \$14,000 for every homeowner in Pleasant Prairie, Kenosha County, Racine County all across the

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state. That \$7,000 to \$14,000 is now taxes that is being fairly assessed and being paid by the large national chains. But using gimmicks in the tax code that aren't accessible to the local business owners or to local homeowners, these large chain stores are taking that \$14,000 and having it pass through the leadership in Madison with the dark store legislation not being passed.

Our tax system is set up with a fair assessment of homes and businesses, homeowners pay 70 percent across the state, 50 percent or so in Pleasant Prairie. And when the tax system is not fair, when these large chain stores are able to use a gimmick saying that their thriving business is worth the same as an abandoned store that same argument is not allowed for homeowners. So I strongly encourage and we all hope that the state leadership will allow this legislation to be brought to the floor. It passed out of committee bipartisan, 100 percent of support from Republicans and Democrats. And if it came to the floor of the Congress it would pass. So if it doesn't we're looking at a \$7,000 to \$14,000 increase over the next decade and the decade after that and the decade after that.

John Steinbrink:

It's probably the first time I've ever seen so many communities get behind one thing. And it's not just Pleasant Prairie, it's the city, Somers, other communities around the state. I'm especially proud of all the people here and what they've done to make the legislators aware of what this is and what it does. Unfortunately as they say it did fall upon deaf ears. They give you the atta boy and nice job, we'll take care of you. And then they kind of forget about you and say we're too busy, we don't have time. I don't think that's quite true because I saw legislation come up on the calendar and pass in a matter of days if the right people put it forward with the right incentive which is green, of course.

But we've tried the method of informing our legislators and making them smart. I'm not sure that works all the time. So now I guess our goal is to inform the public, make sure they're aware of what's happening, who's responsible and why they're going to pay more in taxes. Why they may suffer a loss of services. We can only do so much at this level. We can only provide what we can provide with the monies we're allowed to collect. And the Village does an excellent job of that with our fire and police protection, our public works, our community development. Everything we do is topnotch at probably the best price anybody's going to get around. We're proud of everybody here.

But unfortunately that doesn't matter to the state I guess because they've got better things to do and bigger things to do. One person that's been a driving force behind this and actually made sure that we knew what we were doing here was Rocco Vita, our Assessor. And he took the time not only to inform us but to inform people at the state level and work with the other assessors and other people around the state and the League of Municipalities so everybody has the straight poop on it. They know exactly what's happening. They know what the effect is going to be, and they know who is responsible for it.

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So we've got a long way to go here because it's hard to inform the public and get them fired up until their tax bill comes out, until they suffer that financial hit or until they lose that service and wonder why. And then they're going to come to us and they're going to point the finger at us and say why'd you do that to us? We're going to make sure they understand that. And we're working with the City of Kenosha, the Town of Somers, the Village of Somers and other communities around to make sure their taxpayers, their public is informed about this.

And I hope our legislators are sometimes going to take note of this because they're the ones that we're going to hold responsible for this. It's their inaction that's causing what we're going through today. And I don't know, Rocco, did you have anything to add to this? You were the guy that made sure we came out with accurate numbers, accurate information and it just wasn't a wild hair we're chasing. This is a real problem.

Rocco Vita:

Good evening. Rocco Vita, Village Assessor. Yeah, this has been a long journey. It isn't something that was just brought to the legislator's attention a day ago or a week ago or a month ago or a year ago. We've been talking about this with them for well over three years. And while there is a component that might seem somewhat complex, what's really simple is to identify that leased properties sell for X. And according to these evaluation incentives or these tax avoidance strategies are valued for one half of X. And it's not just stores, it is all single tenant, these properties to investment grade properties.

That has a significant impact to the Village of Pleasant Prairie because all the recent development, and we've done a wonderful job of developing Pleasant Prairie in a model way that provides good, solid, diverse tax base. The commercial properties on Highway 50 are investment grade properties, and we have an industrial park that's packed full of investment grade tenants and investment grade properties. Those are the properties that are at risk. The Village is at risk for losing that sort of value up to 50 percent.

We've been very diligent in pushing back. And I think to some degree you can see where we have not brought into our way of thinking the implementation of strategies. The Wisconsin Department of Revenue almost has in the evaluation of the manufacturing properties of our park. We currently are appealing two of the Department of Revenue values because they have lowered the value on properties that were sold, and they've lowered them to below what they sold for. And we're pushing back saying these properties sold for what they were. The buyers were intelligent, knowledgeable buyers, and these are properties that are worth as much as they've sold for.

And right now we've passed step one. The State Board of Assessors has supported our appeal. And it now depends whether the property owners appeal back when we go to the Tax Appeals Commission. We're pushing back. My staff has done a good job in abating any reductions on these tax strategies. And I think going forward we have an ability to bring this point across to

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other legislators and hopefully come with a resolution that satisfies and is good for the rest of the state. Questions.

John Steinbrink:

Thank you. Any questions for Rocco? You've explained it well again. I especially want to thank Mike Pollocoff for his work. And as you heard he traveled to Madison with Steve to inform our legislators and educate them. He deserves extra credit because if you've ever traveled in a car with Steve and he's wound up it's an exciting trip. So he will keep you going the whole trip to Madison. So thank you, Mike.

Steve Kumorkiewicz:

Thank you, John.

Michael Serpe:

John, do we have a letter from -- Tom's got a letter from Senator Wirch who gets a certain amount of credit for trying to bring this forward but was shot down by the other side.

Tom Shircel:

If I could I'll read it into the record. I did reach out to our area legislator's weeks back. And Senator Wirch did get back to me via a couple letters here. The first one's dated February 15th. It says, dear Tom, I wanted to update you on an issue that has the potential to negatively impact our communities and so called dark stores. Big box stores have been taking advantage of a loophole to lower the amount they pay in property taxes resulting in a shifting of the tax burden to homeowners. Two piece of legislation have been introduced to address the problem. SB292 is modeled after legislation passed by the State of Indiana in 2016. The bill explicitly provides that assessor may not use dark store as a comparable for property that is not dark or vacant.

Meanwhile SB291 would reverse the 2008 Walgreens versus City of Madison decision that opened up Wisconsin communities to the dark store loophole. I have cosponsored both bills which have gotten strong bipartisan support. I've been doing all I can in my power including speaking with the leadership from both parties in both houses.

To my disappointment just last week Senate Majority Leader Scott Fitzgerald and Assembly Speaker Robin Vos has said they don't plan to allow votes on these bills. As a result I am calling on Governor Walker to step up and lead on the issue. I have authored a letter to the Governor cosigned by many of my colleagues in the Senate and Assembly requesting that Governor Walker call a special session to take up the dark store legislation.

We must do something to prevent the unfair property tax shift that this loophole would impose on our hard working home owning families. I have enclosed a copy of the letter for you. Below you

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will find the contact information for Governor Walker should you wish to share your thoughts on this issue with him. I will keep fighting on this issue. Do not hesitate to contact me if I can ever be of assistance. Sincerely, Bob Wirch, State Senator, 22nd Senate District.

And I'll quickly read the letter that he wrote to Governor Walker. It's dated February 13, 2018. Governor Scott Walker, 115 East Capitol, Madison, Wisconsin 53702. Dear Governor Walker, at the recent Wisconsin County Association Legislation Exchange Senator Fitzgerald and Speaker Vos indicated that the legislation to address the dark store loophole would not be brought up for a vote in the Legislature before the current session ends this spring. We are extremely disappointed and concerned about the impact that this will have on our constituents as residential property taxpayers are forced to shoulder more of the burden.

We write to request that you call a special session of the Legislature to address the dark store issue this year. Our constituents are hard working taxpayers of the state cannot wait until next year. There is bipartisan support for this legislation, and the issue has been studied and debated for several years now. We can and should act now without delay to protect our state's homeowners. We need your leadership on this issue to ensure that big box retailers pay their fair share. Thank you for your consideration, and please act as soon as possible to move this legislation forward. Sincerely, and I'm not going to read all the names, but it's signed by 31 different legislators in the area. Thank you.

John Steinbrink:

The unfortunate thing it's only signed by legislators of one party.

Tom Shircel:

That's correct.

John Steinbrink:

Because the other party was told not to sign on to this or not to push it forward. And unfortunately when you put party before the people you represent. As Mike said we try and stay nonpolitical here, but this is an issue that we're forced to move forward on. So thank you again to the Board and everybody who has helped us with this.

Steve Kumorkiewicz:

It's an election year issue.

John Steinbrink:

Okay, we have a motion and a second on the floor. Those in favor?

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Voices:

Aye.

John Steinbrink:

Opposed? So carries. That moves us back to the top of the agenda and brings us to Item A.

SERPE MOVED TO ADOPT RESOLUTION #18-05 URGING THE STATE OF WISCONSIN LEGISLATURE TO PROTECT LOCAL BUSINESSES, APARTMENT OWNERS AND HOMEOWNERS FROM TAX SHIFTS RELATING TO DARK STORE AND WALGREEN PROPERTY TAX LOOPHOLES; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

A. Receive Plan Commission recommendation and consider Ordinance #18-05 for Comprehensive Plan Amendment as it relates to property generally located on 92nd Street east of 11th Avenue within Carol Beach Estates Unit #6 Subdivision.

Jean Werbie-Harris:

I would ask if you could take Items A and B at the same time and separate action can be taken.

John Steinbrink:

Motion to take A and B together.

Kris Keckler:

So moved.

Dave Klimisch:

Second.

John Steinbrink:

Motion by Kris, second by Dave. Those in favor?

Voices:

Aye.

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John Steinbrink:

Opposed? So carries.

**KECKLER MOVED TO CONSIDER NEW BUSINESS ITEMS A & B
TOGETHER AT THIS TIME; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

B. Receive Plan Commission recommendation and consider Ordinance #18-06 for a Zoning Map Amendment to rezone the portion of the lot zoned C-1 as it relates to property generally located on 92nd Street east of 11th Avenue within Carol Beach Estates Unit #6 Subdivision.

Jean Werbie-Harris:

Mr. President and members of the Board, these are the requests of Steven Brown. He's the agent for the vacant properties generally located on 92nd Street east of 11th Avenue within the Carol Beach Estates Unit #6 Subdivision. The property is further identified as Tax Parcel 93-4-123-184-0985. The two requests this evening are Comprehensive Plan Amendment, Ordinance 18-05, and a Zoning Map Amendment, Ordinance 18-06.

Specifically the petitioner had hired DK Environment Services to complete a wetland delineation on the vacant property as referenced. The wetland staking was completed on June 10, 2017, and a wetland report was filed with the Wisconsin DNR on December 7, 2017. The DNR provided the letter back to the Village of Pleasant Prairie after the field visit on October 25, 2017. They had concurred with the biologist that there were no longer any wetlands found on the site.

In accordance with the Village's Comprehensive Plan, upon completion of the wetland staking the Land Use Plan Map 9.9 is to be amended. And the interpolated wetlands since there were none found on the property would be modified to reflect a low-medium density residential land use designation on the Comprehensive Plan.

Furthermore the second part of the request is to have the Comprehensive Plan and the Zoning Map comply with each other. So the area that was designated as wetlands as C-1 would be rezoned from the Conservancy 1 to the R-6 Urban Single Family Residential District. The Plan Commission held a public hearing regarding these two matters at their last meeting held on February 12, 2018. And the Plan Commission after that hearing recommended approval of the Comprehensive Plan Amendments as well as the recommended approval of the Zoning Map Amendment as presented. And separate action is needed on both items with a roll call vote on the first item.

Steve Kumorkiewicz:

I make a motion to adopt Ordinance 18-05, the Comprehensive Plan Amendment.

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Kris Keckler:

Second.

John Steinbrink:

Motion by Steve, second by Kris. Further discussion?

Dave Klimisch:

So if this passes -- well, currently no homes can be built on this lot. If this passes then a single family home meeting the low to medium density could be built?

Jean Werbie-Harris:

Correct.

John Steinbrink:

Other discussion? Hearing none a roll call vote is requested.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-05... FOR A COMPREHENSIVE PLAN AMENDMENT ON AS IT RELATES TO PROPERTY GENERALLY LOCATED ON 92ND STREET EAST OF 11TH AVENUE WITHIN CAROL BEACH ESTATES UNIT #6 SUBDIVISION; SECONDED BY KECKLER; ROLL CALL VOTE – SERPE – YES; KUMORKIEWICZ – YES; KECKLER – YES; STEINBRINK – YES; KLIMISCH – YES; MOTION CARRIED 5-0.

Michael Serpe:

Move approval of 18-06.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Further discussion? Those in favor?

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Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-06 FOR A ZONING TEXT AMENDMENT TO REZONE THE PORTION OF THE LOT ZONED C-1 AS IT RELATES TO PROPERTY GENERALLY LOCATED ON 92ND STREET EAST OF 11TH AVENUE WITHIN THE CAROL BEACH ESTATES UNIT #6 SUBDIVISION.; SECONDED BY KECKLER; MOTION CARRIED 5-0.

- C. Receive Plan Commission recommendation and consider Ordinance #18-07 for a Zoning Text Amendment to allow permitted uses and auxiliary uses allowed in the M-5 Production Manufacturing District.**

Jean Werbie-Harris:

Mr. President and members of the Board, on January 8, 2018, the Plan Commission had approved Resolution 18-03, and this was to initiate amendments to the M-5 Production and Manufacturing District in the Village. This would be to amend Section 420-125.2 B and C, and this was related to permitted uses and auxiliary permitted uses in the M-5 District.

Specifically at the very last Plan Commission meeting on February 12th the Plan Commission recommended approval of some zoning text amendments related to permitted uses allowed in the M-5 Production Manufacturing District. These amendments permit a variety of new uses that could include a medical office facility, a corporate campus, retail and service auxiliary uses. Other types of uses that would now be allowed as part of this additional flexibility to the M-5 District include retail auxiliary permitted uses that would permit clothing, electronics, jewelry, leather goods, shoes, a museum, different types of uses related to -- permitted uses related to warehousing and auxiliary permitted uses as well as corporate campus related uses and very detailed specific uses related to that, service auxiliary uses and some other very basis uses within the district.

The intent is to provide some greater flexibility within that district. As you know there's a lot of growth activity happening in our area, and the M-5 zoning district amendments will allow the Village to make full use of the Prairie Highlands land parcels by making these modifications to the M-5. And as you know there's other areas of the Village that do have the same zoning, the M-5. Those areas are located east of the interstate along the East Frontage Road. And there's a number of areas along Highway 31 on the west side south of 165. So it does reflect all of the M-5

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areas that would be permitted to have these different types of uses that would be considered permitted or auxiliary uses within the district. The Plan Commission held a public hearing and recommended approval. And the staff recommends approval of the changes to the M-5 District.

Kris Keckler:

Move approval of zoning text amendment Ordinance 18-07.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Kris, second by Steve. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

KECKLER MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-07 FOR A ZONING TEXT AMENDMENT TO ALLOW PERMITTED USES AND AUXILIARY USES ALLOWED IN THE M-5 PRODUCTION MANUFACTURING DISTRICT.; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

- D. Consider and approve partial termination of the Memorandum of Understanding and Waiver of Special Assessment related to vacant property located at the southwest corner of STH 50 and 91st Avenue.**

Jean Werbie-Harris:

Mr. President and members of the Board, back in 2007 the Village and VK Development Corporation entered into a memorandum of development agreement and a waiver of special assessment notices and hearing. And this is regarding current and future State Highway 50 transportation improvements and the agreements between the Village and the Wisconsin DOT for the developable lands within the Prairie Ridge Development. And this is that area between 88th Avenue and 104th Avenue south of Highway 50.

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At that time there were some commitments that were made by VK Development and some monies that were required to be posted in order to pay for some additional improvements and cost improvements to the widening of Highway 50. At the time VK Development had entered into these agreements and had agreed that as the property sold that these assessments would be paid to the Village, and it would be put in a separate interest bearing account that could be used at such time as Highway 50 was reconstructed or improved.

As properties are sold or developed along Highway 50 and throughout the Prairie Ridge area, most of the properties had asked for these partial terminations of memorandums of understanding in order to waive this requirement because the payments have already been paid in full. In fact, all of VK's obligations have been paid for, and the commitment has been satisfied. But there are a couple of them that have not. These waivers have not been approved yet. And one of them happens to be the property that is being purchased by Chick-fil-A. For some reason that had not come through and there had been no requests for this to be terminated, this agreement to be terminated.

And so that's the purpose of the request this evening is to terminate the special assessment notice and hearing based on that original MOU. All of the obligations have been satisfied. The payments have been made. They just want to get this potential liability or at least the notice for this liability off title. And the staff recommends approval since all satisfactions have been made and payments have been made to the Village with respect to this MOU.

Dave Klimisch:

Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Dave, second by Steve. Further discussion?

Michael Serpe:

The ones that have been not agreed to is that going to cause a problem with any future -- with the Chick-fil-A or anything?

Jean Werbie-Harris:

No, just some do greater due diligence with respect to trying to get some of these old documents old title. And we've done this for Costco, we've done this for Care Animal. We've done it for a number of them out there. But some of them just prior to their closing on the property they've

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not asked. They know it's been paid in full because they got the special assessment letter from our finance department. But some of them just don't ask for it to be cleared from title and some do.

John Steinbrink:

We had a motion and a second, correct? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

KLIMISCH MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE PARTIAL TERMINATION OF THE MEMORANDUM OF UNDERSTANDING AND WAIVER OF SPECIAL ASSESSMENT RELATED TO VACANT PROPERTY LOCATED AT THE SOUTHWEST CORNER OF STH 50 AND 91ST AVENUE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

H. Consider an award of contract for the 2018 Annual Paving Program to Payne & Dolan, Inc.

John Steinbrink, Jr.:

Mr. President and members of the Board, on Friday, February 9th sealed bids were opened per this year's paving program. We did receive two bids, one from Payne & Dolan, the other one from Stark, two large paving contractors in southeastern Wisconsin. The sections that we have are listed up on the map. Section 1 is just north of Highway 50 in the Woodlawn area, pulverize and relay and overlay on some of the other roads in there.

Section 2 is Old Green Bay Road from 104th Street all the way down south to ML. It was bid out as doing some base patching and a two inch overlay, but the bids came in a little bit high so we cut the overlay component of it just to keep us within budget. And you'll see in your memo that was the \$175,000 reduction that actually got us within budget.

Section 3 is an area of Park Drive that we'll be doing a pulverize and actually we'll be doing an overlay on that section. Section 4 is 48th Avenue and we'll be doing some spot patching and two inches of asphalt over top. Section 5 is Piche just north of 116th around the 16100 block, another two inch overlay. Section 6 is the Foxmoor area doing an ultra thin overlay around that subdivision, Rambling Trails we get a two inch overlay.

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Section 7 is doing some driveway paving for the Benz lift station work. And then the final section, Section 8, is the Greenway Court cul-de-sac which is actually funded by the developer that's requesting that to be done.

So there were two bids received. Payne & Dolan came in -- and keep in mind these bids are funded by the general fund by the clean water, the sewer and the water funds. Payne & Dolan came in at \$1,979,617.09. And Stark Asphalt came in a couple hundred thousand dollars higher than that. By doing the change order reducing the two inch overlay on Green Bay Road actually brought us under budget around \$100,000. There's going to be some construction management costs to manage this project to its completion.

So we are requesting a PO amount to be awarded to Payne & Dolan in the amount not to exceed \$1,381,079.68 out of the general fund. And then there's additional out of the sewer fund \$116,226.50, out of the clean water utility \$290,507.39, and also out of the sewer utility \$16,065.20 for a grand total adding all those four PO's up to \$1,803,878.77.

Michael Serpe:

Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO AWARD A CONTRACT TO PAYNE & DOLAN, INC. IN THE AMOUNT OF \$1,803,878.77 FOR THE 2018 ANNUAL PAVING PROGRAM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

I. Consider Letter of Credit Reduction Request No. 1 to Ayres CSM Phase 1 Improvements generally located at 47th Avenue.

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John Steinbrink, Jr.:

The Village has conducted a review of the cash on deposit reduction request for public improvements on the Ayres CSM generally located on 47th Avenue just south of 116th. Mr. Ayres is developing some lots over there. And there was some stormwater work that had to be done and some grading work as shown on the exhibit up on the screen.

We are looking at reducing the cash on deposit for \$60,261.77. And then there is some retainage held on that also. So our construction group has gone through, inspected it, they've been managing the project. And we do agree to reduce the cash on deposit for the amount of \$60,261.77.

Kris Keckler:

So moved.

Dave Klimisch:

Second.

John Steinbrink:

Motion by Kris, second by Dave. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

KECKLER MOVED TO APPROVE LETTER OF CREDIT REDUCTION REQUEST NO. # 1 FOR THE AYRES CSM PHASE 1 IMPROVEMENTS GENERALLY LOCATED AT 47TH AVENUE DEVELOPMENT; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

J. Consider Resolution #18-04 to authorize the disposal of surplus vehicles and equipment.

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Chief Roepke:

Mr. President and members of the Board, for your consideration Resolution 18-05 to remove out of service and sell or surplus the four vehicles listed on your screen in addition to various fire nozzles and fire appliances to either scrap, auction and or donate. So these vehicles have all been replaced or are in the process of being replaced. So as soon as those last two are replaced, the '94 and the Durango we'll be ready to take those out of service and put those to surplus.

Michael Serpe:

How many hours does a rescue squad normally get, Craig?

Chief Roepke:

We typically keep it for ten years. So it's usually in that 8,000 and 9,000 mark. By the time it gets that aged interiorly between upholstery and just floor and engine. In the case of the med techs the med techs were before we had to use the fuel additive DEF, and they had a lot of pollution control systems which unfortunately we've had a lot of issues with. And med tech is more like an international chassis so it's more like a truck. Since then we've gone back to the Ford F-550, the pickup style chassis which utilizes the DEF additive. So there's less pollution control mechanisms on the truck itself which just inherently means less problem. In the case of the one ambulance that's not up on your screen we were literally two months out of warranty and the manufacturer wouldn't warranty the product, and we ended up having a large bill to replace the pollution control equipment.

Michael Serpe:

What's your avenue of disposal here?

Chief Roepke:

I'm sorry?

Michael Serpe:

Where are you going to get rid of them, where do they go?

Chief Roepke:

There's a Wisconsin surplus auction. I've also worked with John, Jr., the Director of Public Works. He has done a lot of the surplus hunting and stuff like that so I'll use his expertise to take care of that. The equipment disposal you see on your screen right now are various fire nozzles that are probably in excess of seven to ten or ten plus years old. The right portion of your screen

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is what we refer to as low level strainers that we probably haven't used for eight years. We want to kind of clean the place up and work on getting things gone if you will that we're not using.

Michael Serpe:

What do you think you can get for these? Do you have any idea?

Chief Roepke:

The fire appliances probably not much. In the case of the fire vehicles it's estimated that the 1988 ladder truck will probably garner probably around \$25,000 to \$30,000. And as far as the med tech I don't have a number, but the individual we spoke with indicated that those vehicles were well sought after. And believe it or not the 1994 pickup we've had several people come to us and say if you're going to sell that let me know. Unfortunately for us it's a hard working vehicle, however it's rusting. There's a couple holes in the floorboards. There's a lot of work from the fuel gauge and fuel tank maintenance that needs to occur. And we've already probably over the years dumped some \$8,000 into it. So it's past its time.

Dave Klimisch:

All of our decals come off? They won't say Pleasant Prairie once we sell it?

Chief Roepke:

Yeah, typically we take all the identifying decals off of it so it goes into a less strip. So striping-wise it stays on, but the logo, the Pleasant Prairies and things like that. And anything of value internally, obviously radios and things like that get reused for the next vehicle.

John Steinbrink:

Was that Durango Tom Clark's?

Chief Roepke:

The Durango was not Tom Clark's. The Durango pictured was the '05. And based on even this winter it's really showing some rust.

Michael Serpe:

Move approval of 18-04.

Steve Kumorkiewicz:

Second.

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John Steinbrink:

Motion by Mike, second by Steve. Any discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO ADOPT RESOLUTION #18-04 TO DISPOSE OF SURPLUS VEHICLES AND EQUIPMENT; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

9. VILLAGE BOARD COMMENTS

John Steinbrink:

The Village is facing a lot of challenges out there. We have the closing of the power plant coming up in the future. Unfortunately dark stores is one of those little items that could have been prevented. There is no reason to be at the point we're at. The taxpayers deserve better.

Michael Serpe:

We're in a time right now in Pleasant Prairie and southeastern Wisconsin where there's a lot of growth taking place. What you just said, John, about the dark store and with the power plant and people moving in, businesses moving in and a zero levy set by the state, it almost makes it nearly impossible to address the things that this Village need to do. They don't care up there. They just don't care. They've taken away more and more local control, and I'm sure they have it in their way that they're going to try to take more local control. If the people of this Village don't like what we're doing they'll let us know. We don't need the people in Madison to tell us how to run our business.

John Steinbrink:

No further comments we'll move on to --

Steve Kumorkiewicz:

I have a comment right here. [Inaudible] tomorrow is [inaudible] it's for the convenience of the developers. They're going to take more control out of our hands and give it to the developers. It's unbelievable to [inaudible] everything they do take our control away. They are doing that

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with the landlords, they are doing it with the renters, and they are doing it now with the developers. We're going to discuss that tomorrow.

Dave Klimisch:

Next year every homeowner and small business owner in Pleasant Prairie will likely start seeing a 17 percent property tax increase on their bill which works out to \$700 or more, \$1,400 for businesses. And that is coming straight from Madison. Because we are good at what we do our staff will field all those citizens coming in next year saying why our tax bill is going up. Pleasant Prairie works within our means, and we deliver a lot of great services within a tight budget. This unnecessary tax increase is coming from the leadership of Madison. There's a bipartisan solution that's passed out of committee unanimously. It's ready to pass Congress and the leadership won't bring it up. So hopefully people know that and it doesn't have to happen next year.

10. **CONSIDER ENTER INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1)(C) TO CONSIDER EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY AND SUBJECT TO WIS. STATS. SEC. 19.85(1)(E) DELIBERATING OR NEGOTIATING THE PURCHASING OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION.**

Kris Keckler:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Kris, second by Steve. There's a roll call vote requested here.

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

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John Steinbrink:

The Board will return to open session for the purposes of adjournment only. No other business will be conducted.

11. RETURN TO OPEN SESSION AND ADJOURNMENT

**SERPE MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING;
SECONDED BY KECKLER; ROLL CALL VOTE: KECKLER – AYE; KUMORKIEWICZ –
AYE; SERPE – AYE; KLIMISCH – AYE; STEINBRINK – AYE; MOTION CARRIED 5-0 AND
MEETING ADJOURNED AT 9:45 P.M.**