

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
June 18, 2018
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, June 18, 2018. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Mike Pollocoff and Mike Serpe. Dave Klimisch was excused. Also present were Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Chief of Police; Craig Roepke, Chief of Fire & Rescue; Matt Fineour, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, Human Resources Director; Dan Honore', IT Director; Sandro Perez, Inspection Superintendent; Craig Anderson, Recreation Director and Jane C. Snell, Village Clerk. Nine (9) citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - JUNE 4, 2018**

Michael Serpe:

Move approval.

Kris Keckler:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD
REGULAR MEETINGS OF JUNE 4, 2018 AS PRESENTED IN THEIR WRITTEN FORM;
SECONDED BY KECKLER; MOTION CARRIED 4-0.**

5. PUBLIC HEARING

A. 2018 Sidewalk Replacement Project pertaining to properties in the general location of Harrison Road, 51st Avenue, 82nd Street, 57th Avenue , and Becker Park Area.

John Steinbrink, Jr.:

Mr. President and members of the Village Board, I have a brief presentation prepared. And then after that I would entertain any comments from the Board or any comments from the audience. In 2018 public works put together a sidewalk replacement project. Over the years I don't believe there's ever been any mandated sidewalk updates or replacements in the Village. We went through, there's a lot of sidewalk that's really bad in the Village. It was kind of the impetus of why we did that. We had a lot of residents calling saying that it's so bad they can't even really walk on their sidewalk. It's dangerous, trips, falls, hazards, stuff like that.

There's three independent sections that we evaluated. Section 1 as shown on the map on the screen is Becker Park area. Section two is the Harrison Road and 51st Avenue. Section three is 82nd Street and 57th Avenue. The construction inspection staff went out and evaluated for cracks, for heaves, for any sort of trip hazards that may be within the public sidewalk area. They went down and they developed maps. And this is just a quick example or a quick display of two of the sections that our staff put together kind of showing where the squares are so our contractor has an idea of what the scope of the project would be when this moves forward.

And then there's one more slide just kind of showing how we went down to say some squares are good, some squares are bad. There are some people that don't have any sidewalks that are bad, and there are some people that, especially on corner lots, where both sides are bad. We went through and evaluated for the trip hazards. And I just showed a couple of examples of what the sidewalk looks like, whether it's heaving, whether it's cracks. These sidewalks, all these areas probably are pushing 30, 40, 50 years since they've been constructed. There were no stamps on any of the sidewalk panels. But just talking with the residents and knowing the history of the area it's been a long time.

So the first one shows a trip hazard. The second one shows some cracks of what we have. They could be caused by various reasons. It could be from overloading. It could just be from frost heaving, a poor subbase, it could be from trees. But nonetheless it's something where it doesn't meet the current code and the current statues for sidewalks.

So Village staff went through and identified all of the sidewalk squares. And then we put together a public bid. The purpose of the public bid was to get the best price that we could just by having a large volume and putting it together. And so we got that bid. That was the first phase of what we did. We sent letters out to the residents identifying what their share would be as a part of the bid price. And then the residents have two options. They can either, one, they can just

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allow the Village contractor to go ahead at the unit price that we have and replace the squares, and then they'll be charged from our finance department with that.

They also have the option if they choose to have it repaired on their own by their own pre-qualified contractor. We do have a list of contractors that are approved to do work in the Village. And if a contractor that someone knows would like to get pre-qualified there's a process we could go through, and I would more than happily work with any of the contractors to get them pre-approved. We are waiving the work in the right of way fee. If someone chooses to have their own contractor work in the right of way fee is \$150. We are waiving that fee. Especially if someone only has one or two squares it really kind of artificially bumps that price up for them. So we're doing whatever we can do kind of get this done as most cost effectively as possible.

And so if someone does choose -- if you could hit the next slide. All right, so then if someone wants to have the sidewalk repaired and they want to have the Village contractor do it, we're asking that they get ahold of public works, and then we will note that it will be done by our contractor, and if you can let us know by July 2nd. That gives them a little bit of time to investigate some contractors, make some phone calls, identify what it is. If someone chooses their own contractor, if you could go to the next slide, if you can just let us know, again, by that July 2nd. And then have that contractor pull a permit, and it is a no fee permit by July 9th. And so it gives that contractor a week to figure out the scope, get a price after that deadline has passed.

We do ask that all the contractors are pre-qualified to work in the Village, and that's because they are working within the public right of way. There's utilities, infrastructure. If somebody damages a car or anything like that at least you're being covered with that. So that's why we do ask that they are pre-qualified to complete the work. All the work has to be inspected by our public works department. And the contractor we're asking that they submit the right of way permit by July 9th and that all work is done by the end of July. Any property that's not done by the end of July which is probably six, seven weeks out from right now we'll just complete through our own contractor.

If someone needs an extension, they have a contractor who is backed up, we would allow an extension as long as we know that it's their intention to have that work done. That's kind of a brief synopsis of the process and the reasons and why we're looking to do this. And I'll turn it back over to the Board.

John Steinbrink:

This being a public hearing I'm going to open it up to public comment or question. Do we have a signup?

Jane Snell:

We do not have any signups this evening.

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John Steinbrink:

Anybody wishing to speak on this item? Yes, sir? Use the microphone and give us your name and address for the record please.

Jeff Murphy:

My name's Jeff Murphy, and I live on 76th and Cooper on the corner. And you may know people that don't live there that they have been repaving 76th Street. I was told that it's not finished yet. But the work that has been done when it was done they cracked some of my sidewalk because they used my driveway as a turnaround for their bobcat. This work -- actually you're mistaken when you say that there was no mandated sidewalk repairs in the past. I can't recall the exact time. I'm going to say within the last ten years, possibly there are people here, at that time I was told I had to have seven of my squares replaced which I did. This time I have 14 squares that have to be replaced at exactly the same time as the third installment for property taxes is due.

The sidewalks were marked last summer. So now we have -- how long is it until July 2nd, three weeks until we have to make a decision who we're using, make sure their schedules are clear and get this all done by the end of July on the exact same day that property taxes are due. And they're going to come back and finish paving the road. They haven't finished my culvert yet which in that area -- where my sidewalk is there's literally less than two feet between the road and the sidewalk. So if they tear that culvert up I'm going to be in a problem because they're going to damage more sidewalk.

So considering the fact that this work was marked last year, the fact that we literally have just a few weeks to get permits and secure someone, I think that that's really sort of an unfortunate turn of events. Like I say, I live on a corner so I have probably an extraordinary amount of sidewalk where I live. And if they're not even done paving the road I don't see how it makes sense to do that work now if it takes the possibility of damaging these squares.

I took pictures of all the squares that have been marked, and in some cases I have no idea why they're marked. They're not cracked. They don't seem to be heaved. I don't know what the heaving measurement would be. I mean is there a predetermined requirement like if it's heaved a half inch or an inch or what that threshold of measurement is.

John Steinbrink, Jr.:

Just between a half and a quarter inch.

Jeff Murphy:

I'm sorry, between a half and a quarter?

John Steinbrink, Jr.:

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Yes.

Jeff Murphy:

Okay. Well, again, some of the squares on my property I don't understand why they're marked. There's a gap between some of them. Possibly that could be it. But, like I said, with the time frame that we have there's not a whole lot of time. If these guys are backed up, if these contractors are backed up, it's going to be very difficult to get this done in the pre-described time considering they were marked back in 2017. I don't understand why it's waited so long to be notified. We knew it was coming, just had no idea when. And it's kind of an unfortunate time right now.

John Steinbrink:

Thank you.

Jeff Murphy:

Thank you.

John Steinbrink:

Anyone else wishing to speak? Anyone else wishing to speak? Please come up and use the microphone, sir.

Paul Wokwicz:

My name is Paul Wokwicz. I've been a resident of Pleasant Prairie for 44 years or so. We sold our larger property in Pleasant Prairie and moved into the Becker Park area in Roger Prange's old house if you know where that is. And what happened is I got the letters and stuff like that. I looked out and I've got two -- we replaced sidewalks after we moved in 20 years ago. We replaced a whole bunch of sidewalk. Several of them are in almost perfect shape except for that little variation that's causing trouble, the only reason they're marked at all. Was that a part of the bid that they could shave these down or do something rather than remove the whole thing and put in new cement? I mean that seems like hundreds of dollars wasted when they could be shaved down. That was my question.

That's all I was going to really ask and not even come tonight. But I don't know, it just seems odd. Some of the ones that I looked at nearby that are marked it doesn't make any sense because they have the same problem. Was that a part of the bid that they could shave down or do something like that rather than completely remove. Anybody can answer that?

John Steinbrink:

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Why don't we take note of all the questions, and then at the end we'll just respond to all of them.

Paul Wokwicz:

I was hoping that somebody could answer a question.

John Steinbrink:

We will, but we need to --

Paul Wokwicz:

[Inaudible] that question. So other areas where there is some cracks that are parallel to the road which are not dangerous under Wisconsin law generally unless they're really bad. I think you can say that. It's the ones that when you walk and you hit that are bad. I know a little bit about sidewalk cases. I had some for many years. And it's just an odd situation where having people replace something that doesn't have to be replaced where it could be repaired. Again, my question is if things can be simply repaired either by your own contractor or your contractor, and they are satisfied with the result can they just say, okay, we're not going to tear up and put all new cement in there. Those are my basic questions.

And I know once this is done -- a lot of people have already replaced much of their sidewalk. We did, other people have. And once this comes through it's going to be forever because that's how sidewalks are. Some of those sidewalks are probably from the 1920s originally. And it would have been much better if it were like the rest of Pleasant Prairie and in residential areas you did not worry so much about sidewalks. In fact, at one time I represented the Kenosha School District, my client for almost 40 years, and I have to tell you something, that the only reason you do have transportation for people in Pleasant Prairie, even if it was a two mile limit and so forth, was because you did not have sidewalks. That was the big reason. You probably know that. Now, I'm not going to say much more. But I'm hoping you can answer some of these questions that I have and other people I'm sure have. Thank you.

John Steinbrink:

We will, sir. Thank you, Mr. Wokwicz. Anyone else wishing to speak? Yes, sir?

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Bob Beezie [phonetic]:

Good evening, my name is Bob Beezie, and I live on 57th and 82nd. We bought our house about 11 years ago. And before we moved in I think Pleasant Prairie made the previous owners trim the edge of the roots where they had joined the concrete and replaced three pads in front of each tree. Right now those pads need to be replaced again and the roots need to be trimmed again. I've got pictures of the trees. They stretch between the sidewalk and the street. They can't really get much bigger. That's the biggest problem on our property. So I'm not sure what we can do with those trees. I like having them in the neighborhood, but they're just way too big. Thanks.

John Steinbrink:

Thank you. Anyone else wishing to speak? Yes, sir?

Tony Marciniak:

My name is Tony Marciniak. I live at 7220 51st Avenue. I'm asking this question for my elderly neighbor across the street who was going to come with us tonight, but with the heavy rain she's not real sure footed, and she asked me to ask this question. She lives across the street from me on one lot to the north -- sorry, to the south. She has a sidewalk that is in disrepair, but she has no sidewalk to her south. Two neighboring properties to the south of her are still Pleasant Prairie, but it becomes city beyond those two properties, but those residents do not have sidewalks on their property. And this woman was wondering why she would have to replace a sidewalk that goes nowhere beyond her property.

John Steinbrink:

Okay, we'll answer that at the end. Thank you. Yes, sir, in the back.

Dennis Ruhle [phonetic]:

Dennis Ruhle, I live on 82nd Street. And I'm not opposed to the project itself. I just want to see it done right seeing we're all paying for it. And when they did the road repair whoever came in, this is kind of petty, but whoever came in and did the lawn repairs that had to be done they used clay, gravel, sand, I don't know what they used. But I'm hoping that the next guy -- they shouldn't have been paid. And it's not even been a year so maybe you can go by there and have them come back and do it. But I'm hoping when they redo the sidewalks don't let the same guy do it or somebody come out and make sure they put good quality topsoil so we can all grow grass again because there's some pretty nice lawns, and I'm sure you want everybody to have a nice looking property there and not a hay field. So that's my concern. Thank you.

John Steinbrink:

All right, thank you. Anyone else wishing to speak? Yes, sir.

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Jake Zimeratta [phonetic]:

Hi, Jake Zimeratta, 82nd Street. Like my neighbor I'm not opposed to it. I have two sections that the contractors when they did the apron chipped them and you want me to pay for it. I don't have a problem with the other ones when there's a crack or something like that. But if they caused that damage that should be replaced and not at my cost. And, like I said, like some of my neighbors said trees are heaving these. So you're going to have to address the trees. I was in public works 35 years, I know a few things about replacing sidewalks so those are our concerns. Thank you.

John Steinbrink:

All right, thank you. Anyone else wishing? Yes, sir?

Radovan Dimitrijevic:

Good evening. Radovan Dimitrijevic, 5106 Harrison Road. And I understand the overview was on sidewalk replacement. But for some of us that live in the neighborhood where I live it's way more than just sidewalk replacement. There's been sewer work already done, new storm sewer dug in place. And I understand there will be some top work with the actual road and how that affects the culvert which there is no culvert right now. So the sidewalk is just a very small piece of a very much larger project that's ongoing at my intersection. So I have some concerns. And I've shared those already, and I'd just like to have those concerns allayed.

One time I spoke with an engineer they said the sidewalk would be raised six inches. And another conversation we had with another representative said there would be no change in the elevation of the sidewalk. Again, the sidewalk does sit considerably lower than the road bed. So some major work needs to be done so as to lessen the impact on my property. Like what Dennis even talked about the effects of the property being damaged by installation of the sidewalks or even a culvert and to what extent will that be remediated to our satisfaction? I take pride in my lawn, and I'd like it to be restored to the condition that it's at.

The other question I have is about the contractor itself. Can we see where they've done work in the Village or in the city? Concrete work is concrete work. But still I think if you're contracting with people you want to do some inspection and see the quality of their work. So that's all I have. Thank you.

John Steinbrink:

Thank you. Anyone else wishing to speak? Yes, sir? The gentleman way in the back there.

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Pat Hegewald:

Pat Hegewald, 5815 82nd Street. I'm here speaking essentially for my neighbors. And I don't know, I didn't read in very deep, but the gentleman to my west and the elderly couple across the street both living in pretty extremely fixed income and to the gentleman's point that he made before about the turnaround time on this thing, is there some form of, oh, by the way we can cut you some kind of a time deal on this as far as payment goes? I mean there may be folks in here that can pop \$2,100 tomorrow, and there may be folks in here who can't. I know the guy that lives next to me and the folks living across from me probably can't at 85 years old on a fixed income. And I'm the loudest guy in the neighborhood next to half the other people you hear here today. So they asked me to speak on their behalf. So is there some fort of payment plan? Thanks, guys.

John Steinbrink:

Thank you, Pat. Anyone else wishing to speak? Yes, sir?

Ron Delap:

Hi, my name is Ron Delap, 7711 49th Avenue and it dead ends over there by Becker Park. My biggest question is why -- my lot is 60 by 140 so that should be about, what, 12 squares, right? But this thing says \$1,900. And the neighbor next to me has three squares and she says hers is \$300. Are all the squares the same or is it some are worse and they're harder to fix? That makes no sense to me. And poor Heather has got a sidewalk that goes nowhere and into the next neighbor yard. He took his out 30 years ago. So I just don't know what \$1,800 to put in a sidewalk that goes to nowhere that's kind of questioning to me. If that could be pointed out.

John Steinbrink:

All right, thank you. Anyone else? If not I'll close the public hearing and open it up to Board comment or question. John, did you want to answer some of those first?

John Steinbrink, Jr.:

Yes, I was taking notes on here. A couple of the residents asked about an extension. If the Board doesn't have any opposition or the finance department I would not be opposed to extending it out maybe four weeks I think would be possibly reasonable. One of the points that came out was things were marked last year, why wasn't the project done last year? We started investigating what this would be last year, started marking squares to identify the scope. We just really didn't have time to put a bid together, get it out, get a contractor and everything done in a timely fashion. So that's why it got bumped back to 2018 for that. But I would not be opposed to extending out four weeks from the dates if the Board would consider that, or any other date that the Board would consider appropriate.

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The gentleman at Becker Park asked about did we evaluate shaving the concrete, did we evaluate doing repairs? We did spend a lot of time with some contractors that do shaving, that do horizontal sawing and other things like that. We went out and we looked at the longevity of some of the repairs versus some of the costs. And it seemed like any time that somebody did an epoxy repair or anything like that it just never really held up. So you're spending money, it's popping out after the first or second freeze/thaw cycle, and then you end up just replacing it anyway. So we decided to go not with the repairs. Shaving the concrete ended up being pricier than you would think at the end of the day. And it came very comparable just to the cost of replacing a panel. So that's why we eliminated that from our specification and we only allowed the replacement.

A gentleman talked about some of the trees being too big. There are some very large trees as all you know on 82nd between 60th and 57th. The Village has done a couple things in that area. We went through and we just did an overlay on the roadway I believe it was last year because that road was probably one of the worst roads in the Village. And it's heavily traveled. We didn't do a pulverize and a relay, or we didn't relay any of the utilities or any of that. We just made it safe for the traveling public. And then during that process we noticed that the sidewalk is really bad. And we had a lot of people come out and say, you know what, the sidewalk is really bad. We can't even walk on the sidewalk. I know some people that run or actually choose not to do it because it's in such disrepair. And that kind of prompted us to add that into that section.

As far the current Village ordinance the way that reads the residents are responsible for taking down or replacing of big trees. That's the way that it currently reads. So it would be the property owner's responsibility to take down those large trees and replace them with a smaller tree.

I had a resident ask the question about there's no sidewalk next door so why should they have to replace theirs. And that's something that has come up in other scenarios. But at the end of the day you still have a sidewalk in front of your property. And from a staff's perspective we just have to enforce what's on the books. Once you start the leniency do you stop where it's just -- if it goes to nowhere, then if it's nowhere on one more lot or two more lots, staff really can't distinguish between that. So the way that this program was put together is if you have a sidewalk and it has a bad square it needs to be replaced, whether it goes to nowhere, whether it's gapped on either side.

A gentleman talked about some bad lawn repair and to make sure that the topsoil would meet spec. We do have a specification of four inches of clean topsoil. I'll make sure that we watch that on this project to make sure that it is clean topsoil that's put in and it's seeded. We do ask that the residents water it. And once it's seeded we don't go through and water it. So we will go through and we'll put the top soil, we'll put the seed, we'll put the erosion matting, but we do ask that the residents water it.

A couple of residents talked about sometime in the process of construction it was chipped by a contractor. I guess I would just have them contact me. My office number, I'll read it here, is the 925-6768. It will be in the record. It will be in the minutes. If they call public works, they call

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Village Hall I'm easy to get ahold of. I'll send an inspector out to take a look at it. And if it's determined that it looks like some construction equipment was the cause of damage we can re-evaluate those squares.

Harrison Road, a gentleman talked about some drainage issues. I did talk with him specifically on that. And we'll make sure that we do not create any drainage issues. We do work very closely with our engineering staff, Matt and Kurt, and specifically that intersection of 51st and Harrison we have a lot of engineering time in there. We did do some stormwater improvements that we put in that intersection. We'll be putting in some curb and gutter and we'll be making some ADA handicapped ramps in that area. It is going to be raised around one corner. The project of the stormwater will be picking up the cost of those. But then the ones that are in disrepair will be with that. I can meet him onsite at his property, and we can evaluate that. The gentleman has my number and I can meet with him afterwards.

An extension on payment, I can defer that to Kathy maybe if you want to address it.

Kathy Goessl:

Once the resident receives their billing they can give my office a call and we can discuss a payment plan. Once we put them on a payment plan we expect them to stick to the payment plan. But we're willing to work with them.

John Steinbrink, Jr.:

There's a question about RAZA out of Racine, what kind of work have they done, what kind of work do they do. They specifically do a majority of the work in municipal sidewalk programs. They do it in Racine, they do it in municipalities all over southeastern Wisconsin. We did talk to some of the directors of the municipalities, and they really don't have a problem with them. They seem to be a very reputable company, so I was very comfortable going with them.

And then the cost of square, we did go down, and like we said it was a competitive bid. And if someone has a discrepancy where they're saying if it's one square was \$300 and someone else's square is \$500 every square should be equal. So every five by five square should have the exact same price. And I can just have them contact me also, and I will work with them to make sure that there wasn't an error in the spreadsheet or billing. We did go through and we checked everything, but that doesn't mean that we couldn't have an error. And they will be checked again before the bills at the end of the day get mailed out just to make sure all the numbers are correct. Those are answers to all the questions and comments that I had. I can turn it back over to the Board again.

John Steinbrink:

One thing was a complaint about previous restoration. Can we have somebody check on that restoration to make sure it was up to our standards?

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John Steinbrink, Jr.:

Yeah, we can definitely. That was on 82nd between 57th and 60th. And I'll make sure that we go out there and make sure there wasn't just clay put in. Our inspectors do check that, but if something wasn't established we can see if there's a warranty period that we can get that reseeded from last years' contractor for sure.

Mike Pollocoff:

I've got a few questions, John. One, I guess I want to make sure that the bids are equal per square. I don't know if they submitted a partial square to be completed. I know that shaving was [inaudible] but did the spec require that each square a five by five had --

John Steinbrink, Jr.:

Yes. So the bid was put together on the cost for removal and replacement of a five by five square.

Mike Pollocoff:

Okay. And when the inspections were made and the notices sent out, was there a period where the residents could contact the Village and meet with the inspector and understand what the specific issues were on their specific sidewalk so they'd know what the problem was?

John Steinbrink, Jr.:

Our inspectors are available all the time. We did mail out the letter, and we did receive a lot of calls from the residents. And my inspectors did meet some people on site. And still even after the meeting now that it's kind of exposed a little bit more our staff will be more than happy to meet whoever or everyone out on their property whenever they're available to just evaluate even if it's just on a square by square section.

Mike Pollocoff:

And the other thing I know a few years back, and more than a few years, we at an APWA conference there was an exhibit and a session on rubberized sidewalks in areas where there's trees so that if you did get some heaving with a tree root you could cut that root out, cut in another rubber section. And if the root came back again you would take that section out, cut the root again and then put the section back. Have you seen anything more on that since that first was introduced? I know it's more expensive per square but --

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John Steinbrink, Jr.:

I am familiar with what you're talking about and the process. I did sit in on one of the sessions for APWA. Of all my colleagues in my profession I haven't heard of anyone that's doing the segmented rubberized sidewalks at all. I think it's something that looked good up front but I'm not sure for whatever reason it just hasn't taken off. I believe that the expense was one of the reasons. And I'm sure that the expense probably offset the value of the cost of replacing a square or just a part of a square in that case I should say.

Mike Pollocoff:

And then also on the financing for these improvements, you guys are doing it as a special charge?

Kathy Goessl:

Yes, it's a special charge.

Mike Pollocoff:

Pardon me.

Kathy Goessl:

Special charge.

Mike Pollocoff:

I guess I'd like to see us consider doing a -- allowing the residents to sign a waiver of notice of special assessment where the charge could be put over a period of years and then collected if we did it over two years or three years to kind of minimize the impact of it. By doing it as a special assessment that lien would travel with the property. So if someone was to sell their property I mean probably it would exist as a lien. Not that a special charge wouldn't, but I think if someone is having a hard time paying for it in a few months, I'm doubting that it's going to be better in a year if it's a senior citizen. If we allow that opportunity to have that waiver of notice of special assessment signed, they sign those notices, we could act on those, and if we wanted to set it up for three years or what have you we'd just collect those. And there would be an interest cost on it, but it would just be another alternative to resolve that issue for some of the seniors. And my final question is that I would like to see this extended out. How much time do we have for the bid to be able to delay the work?

John Steinbrink, Jr.:

To complete the work?

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Mike Pollocoff:

To start the work.

John Steinbrink, Jr.:

I would just extend my current contract out with RAZA. I would just do a contract modification to the terms and conditions.

Mike Pollocoff:

I think one of the things is we owe to ourselves and to the people that live on some of these streets, I mean I lived on 48th Avenue by 76th Street when I first moved here. I remember when the sewer failed and they dug up the street I was trying to count how many layers of asphalt had been put on that over the years. And so for our next cycle of road rework that's going to be done, I mean as we keep lifting these up it just gets higher. And it serves to shed the water off the road, but it makes it difficult to handle the storm drainage. Maybe we should take a look at two things. One is what's it going to cost us to mill that down and get it to a lower level so things are working better.

Or the other thing that controls these things is curb and gutter. That's a fixed point where the water is going to run to and run from, and we can get it out of there. And then we're not going back there constantly trying to fix these things. Because for what we save in asphalt doing those initial improvements we have all these headaches that keep occurring for how we get water to the inlets. We're using peoples' sidewalks as drainage ways when it comes off the road. I mean it's inexpensive but it is expensive because how many sidewalks have probably been damages because we've street water running down them because there's no place else for the water to go once it gets off the street?

So if you get any of those cycles in the spring where you get water in between the cracks and it freezes again and it heaves it, it's a lose-lose scenario. Maybe it would be worth to do some engineering work. I know you guys have got plenty of engineering time to do this, but take a look at what it's going to cost just to take care of this problem so we don't have to deal with it again and the residents don't have to deal with it again. And can we weight the cost of those improvements versus what we keep doing in those areas to go back and either rework storm sewers or rework the drains or rework the asphalt.

I know we've had some kind of creative drainage basins we've put together, and we've tried to make this thing so it work as inexpensively as possible and it's got to work. But I think for a subdivision I think [inaudible] Highlands was laid out in the early '50s and even the late '40s. I'm not sure about Woodlawn or 82nd Street, but these are our oldest areas of the Village. And you can tell my virtue of the fact that they have sidewalks. Maybe we just need to take a look at what it's going to get this thing finished once and for all and get it at a cost that the residents' expenses are done. So we don't have more expenses and they don't have more expenses and just

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get it over with. And I know that won't be done this year. Not all these streets are getting repaved this year, right?

John Steinbrink, Jr.:

No.

Mike Pollocoff:

So that would just be a recommendation I'd make. And also I think we should look at offering the people the opportunity if they want to -- it really is up to them. If they want to send payments out at the end of the year or come up with a payment plan. But I think if we want to go much farther than that I'd recommend doing a waiver of special assessment [inaudible] picked up and recording that on the deed.

Michael Serpe:

Mike addressed a couple of concerns that I had. One was extending the time for the whole project. And, secondly, I like the idea of signing the waiver of special assessment. What's the interest rate, nine percent?

Mike Pollocoff:

It's nine percent but I think we could --

Michael Serpe:

Come down a little bit.

Mike Pollocoff:

The numbers aren't that large. It's not like doing a full \$15,000 improvement.

Michael Serpe:

One other question, John. Somebody mentioned about sidewalks stopped and then one or two houses that are next to this one that has sidewalks doesn't have any sidewalks anymore. What's the chance that those property owner rips that sidewalk out?

John Steinbrink, Jr.:

I don't know what happened back in the '40s or '50s when these were built. I'm not sure why one property has a sidewalk, one property does not. Was it a case where someone had a sidewalk and one day ripped it out? Could have been, I don't know. It could have been a situation where

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it was never built with one. The residents would probably have a better feel for what happened out there historically. I believe there are some residents that have some history out there. And whether the Village position is going to be do we mandate them to put sidewalks back in to make the continuous sidewalk, or do we just -- at the time when we put it together we just addressed whoever had a sidewalk replace it.

Knowing that this is going to be an issue, but we wanted to get the bid out, and we didn't want to hold up the safety of the people traveling the sidewalks deciding what do we do with these in fill gaps? So we took the approach of whoever has a sidewalk in these three areas bidding out the cost to replace all the bad ones, giving the residents an opportunity to either do it on their own or go with the Village bid.

Mike Pollocoff:

I think there was a court case, maybe we could pick on Mr. Wokwicz, where a municipality was litigated against for somebody being hurt in an area where they were on a sidewalk and they went off the sidewalk onto an unimproved area. And there was some injury. However that traversed through its process that the municipality ended up having some responsibility by allowing that person -- they went to the actual action [inaudible] allowing that person to remove that sidewalk. That's been a long time since we've looked at it. And I know the League of Municipalities recommends that you don't do that. If there's sidewalks in place leave them in place, and you don't spot remove them or allow that to happen. We've had to ask our attorney for a question on that. It's a statute. I know I took a look before the meeting and I didn't see anything on the statutes. I was looking on my phone. But if there's a -- we could ask --

John Steinbrink, Jr.:

I could talk with our counsel, and I could get a legal opinion on that. And I can go through aerial photography from Kenosha County. I believe it goes back to the '30s. So you'll be able to see if there was a sidewalk in there. And then if the Board's direction is to have those sidewalks put back in we can take that course of action if our legal counsel deems that's in the Village's best interest.

Michael Serpe:

Are there records that far back?

Mike Pollocoff:

To the '30s.

Michael Serpe:

Okay, I would highly recommend we research that.

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John Steinbrink, Jr.:

Okay, staff will do that. Do we need approval on this?

Mike Pollocoff:

I think approval or with some of the conditions we talked about tonight. Staff is going to go back and visit with property owners that have questions that request it. We're going to go back and check our records and look at the sidewalks, if they've been damaged by construction it's pretty easy to pick that up and see that. And then visit with the property owner about it. I think we need to extend this out another month from the start date if possible if that's what we're thinking about. And then let people know if they want to create a payment plan over this year if they want to or a period longer than a year. These bills will basically go out in September, right? Payment due by the end of October?

Kathy Goessl:

Yes, the bills will go out the month after the work is completed and then due in 30 days.

John Steinbrink, Jr.:

If the Board would like I can just mail out another letter to all the residents with all the new dates, and the date will be four weeks from the dates that were in the original letter if that's the direction I'm hearing.

John Steinbrink:

We just want to make sure we complete by the end of the work season.

John Steinbrink, Jr.:

Absolutely.

Mike Pollocoff:

So we can get the grass restored.

Michael Serpe:

With reasonable extension requests?

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John Steinbrink, Jr.:

Absolutely.

John Steinbrink:

Was that your motion, Mike?

Mike Pollocoff:

That's my motion.

Michael Serpe:

I'll second.

John Steinbrink:

Motion and a second. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

POLLOCOFF MOVED TO APPROVE THE 2018 SIDEWALK REPLACEMENT PROJECT PERTAINING TO PROPERTIES IN THE GENERAL LOCATION OF HARRISON ROAD, 51ST AVENUE, 82ND STREET, 57TH AVENUE, AND BECKER PARK AREA SUBJECT TO THE FOLLOWING: STAFF TO GO VISIT PROPERTY OWNERS THAT HAVE QUESTIONS, STAFF TO CHECK AND VIEW RECORDS TO DETERMINE IF SIDEWALKS WERE DAMAGED BY CONSTRUCTION, EXTEND THE START DATE FOR REPAIRS TO ALLOW PROPERTY OWNERS TO SEEK OWN REPAIRS AND LASTLY, ALLOW PROPERTY OWNERS AN OPTION OF PAYMENT PLANS TO PAY FOR REPAIRS; SECOND BY SERPE; MOTION CARRIED 4-0.

John Steinbrink:

We had request to move Item O.

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Michael Serpe:

The superintendent has another meeting to go to so I ask that we move Item O from the agenda up to the next hearing.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for moving Item O up. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO CONSIDER NEW BUSINESS ITEM O AT THIS TIME; SECOND BY KECKLER; MOTION CARRIED 4-0.

8. NEW BUSINESS

O. Consider Resolution #18-21 for the disposal of Surplus vehicles.

John Steinbrink, Jr.:

Mr. President and members of the Board, again we do have some vehicles that they are proposing to go to auction. All these vehicles have exceeded their useful life. Whether it's by age, whether it's by mileage they're all in a condition where they need to be sold off at auction as their maintenance definitely [inaudible] the value that we do receive from them. I'll spare you going through the pictures, but you guys have seen them in the past. I think we're back about 100 slides in the presentation. They're all pretty rusted up. We have some pickup trucks, we have some vans. We did start purchasing used fleet vehicles at auction down in Texas. We've been very successful with that especially for some of our inspection vehicles, for our construction management vehicles.

So we're taking a vehicle that's a 2003 and replacing it with a 2012 vehicle. It's not new. We're probably receiving anywhere between \$500 and \$2,000 for these vehicles, and then we're picking up vehicles that are ten years newer for probably anywhere between \$3,000 and \$4,000. So with

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that small amount of capital investment we are really reducing the amount of maintenance that we're seeing on them. And I would recommend that all these vehicles are disposed of at auction.

Michael Serpe:

So moved.

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second. Any discussion?

Kris Keckler:

The only one I had was the '06 Ford Taurus it had under 42,000. Is that a typo, or there's other wear and tear?

John Steinbrink, Jr.:

No, that's a typo, but there is wear and tear. Some of these vehicles ended up sitting a lot whether we purchased them used with low miles. And then the rust and the salt has just kind of eaten up the components of it. It was one of the Cherokees, actually the front strut and suspension is almost rusted right off. So by the time we tear apart the front end, put the motor mounts on and put that all back together you're better off just auctioning these off and purchasing something that does not have that wear on it.

John Steinbrink:

[Inaudible] interested you're not really selling it here. You've got to play it up a little better so Kris is still interested.

John Steinbrink, Jr.:

This is a public auction and anyone is available to bid on these.

Mike Pollocoff:

Taurus was a lemon. That thing was a dog.

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Michael Serpe:

Why don't you just leave the keys in them and see what happens?

John Steinbrink, Jr.:

Yeah, the Taurus was a vehicle that sat over at RecPlex a while and just had problem after problem after problem. And there's a point where you just need to cut your ties and come up with a more reliable vehicle.

John Steinbrink:

Further comment or question? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries. That moves us back to Item 6, Citizen Comments.

SERPE MOVED TO APPROVE RESOLUTION #18-21 FOR THE DISPOSAL OF SURPLUS VEHICLES; SECOND BY POLLOCOFF; MOTION CARRIED 4-0.

6. CITIZEN COMMENTS

Jane Snell:

Mr. President, there was one signup this evening, Troy Mleziva from Kwik Trip.

Troy Mleziva:

Good evening, Mr. President and Village Trustees. Troy Mleziva, Real Estate Development Manager at Kwik Trip, 1626 Oak Street, LaCrosse, Wisconsin. I'd just like to register in support of Items H, I and J and make myself available for questions as relates to our specific part of that development. Thank you.

John Steinbrink:

Thank you. Anyone else wishing to speak on citizens' comments? Hearing none I'll close citizens' comments.

7. ADMINISTRATOR'S REPORT

Tom Shircel:

Mr. President, just a community bulletin. This weekend we do have a triathlon in Pleasant Prairie. The Junior Triathlon is this Saturday the 23rd. And the Pleasant Prairie Triathlon is this Sunday the 24th just so if anyone is interested to root on the participants or if you want to register to do it yourself there's still opportunities.

John Steinbrink:

You said senior triathlon?

Tom Shircel:

That's all I have, Mr. President.

John Steinbrink:

Thank you, Tom.

8. NEW BUSINESS

A. Consider Resolution #18-20 approving Project Plan and Boundaries for the creation of Tax Increment District No. 5 Amendment #1.

Jean Werbie-Harris:

Mr. President and members of the Board, Tax Increment District Number 5, Amendment #1 is a proposal being presented by the Plan Commission as well as the staff and the Joint Review Board to the Village Board. Tax Increment District Number 5 is an existing Industrial District which was created by Resolution of the Board on April 17, 2017. TID 5 has not been previously amended. The district will remain in an Industrial District after the proposed amendment. The project plan amendment supplements and does not supercede or replace any component of the original project plan unless specifically stated. All original components of the project plan that are not amended remain in effect.

So the Village proposes to amend the boundaries of TID 5 to add territory to the district and to facilitate some new development opportunities. As you can see in the slide with respect to the timing of this TID amendment, the creation date, again, April 17, 2017. The expenditure period goes through April 17, 2032. The termination date April 17, 2037. And the first amendment date this evening June 18, 2018.

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Just as an overview, again, the Amendment 1 proposed to amend the boundaries of TID 5 and to facilitate and add territory to the district to facilitate new development. The Wisconsin Statute 66.1105 (4)(h) 2 provides authority to amend the boundaries of an existing TID for adding or subtracting territory, and it's allow up to four times during the life of the district. The land use 100 percent of the developable property in the TID 5 as amended will be used for industrial or commercial uses whereby not less than 50 percent of the district by area as amended is suitable for industrial development.

The location is generally along both sides of I-94 south and north of Highway 165. The site is approximately 127 acres of added territory, and the TID financing model and Village debt and developer Pay Go TID some costs will be paid for by the Village and debt will be issued, and some costs will be paid for by the project developer. And the Village will issue a developer revenue bond that will provide for payments to the developer to the extent that the tax increment collections are available and the Village Board appropriates the funds.

As I noted, the general location map the area that's identified in yellow is the original TID 5 boundaries approximately. And then the two new areas or territories that we're adding connected to the TID 5 as Amendment #1, again, are pretty much north and south of 165 adjacent to the east side of the interstate.

The TID #5 amendment creation time line, on May 14, 2018 the Plan Commission held their initial meeting. On May 30, 2018 the first Joint Review Board meeting was held. On June 11, 2018 the Plan Commission held their public hearing. And on June 18, 2018 the Village Board this evening is considering this project plan. On June 28, 2018 there will be a second Joint Review Board meeting. And June 29, 2018 we anticipate submitting approval documents to the Department of Revenue.

Kathy Goessl:

Mr. President and Village Board, this chart summarizes the cost of this amendment. It shows what our original cost estimate was at \$54.8 million, and the amendment \$67.7, an increase of \$12.9 million for the amendment. This details it out a little bit further. it shows the original project plan cost, and then the column in the middle shows Amendment #1 that we're doing here for 2018 and the difference between the two.

There's three reasons why this TID is changing. The first reason is some changes in Prairie Highlands and how it's laid out now that we have two big users. And the costs there are actually reducing by almost a million dollars even with adding a developer grant, some loan funds, also incorporating in land purchase just in case our developer agreement has us buying back some land. And then adding gas and electric and some monument signs to Prairie Highlands.

The second reason that this is changing is due to the roundabout which is located south of 165 by the outlet stores. The cost of that is a little over \$9.1 million. And then the third reason is the project Gateway and also another site a little bit north of there. All this is north of 165. A chunk

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of that is being a developer revenue bond at \$2.8 million, and \$1.8 million is for improvements to extend water, sewer and some road improvements in front of a property north of there.

This details out the different categories. The first category is roadway which includes a bridge in Prairie Highlands. It also includes traffic signals, street light and trees for a cost of about \$12.3 million. So mainly this includes addition of the roundabout including land acquisition, and also as I stated the street lights, street trees and traffic signals.

Storm sewer is a cost of \$2.7 million. This includes stormwater projects mainly in Prairie Highlands and some in the new amended area. Approximate cost of sanitary sewer is \$2.5 million. This involves construction of underground sanitary sewer mains. This is to do with Prairie Highlands. With the new roadways there will be sewer under or near those roadways. And then we're also looking at relocating the sewer and the water to realign with the new West Frontage Road. The frontage road was moved earlier, and the sewer and water stayed where the old frontage road was so we're looking at moving that. And then also there's some sewer north of 165 and east of I-94, too.

The water main and water tower is the approximate cost of \$10.7 million. There's going to be a new water tower construction, 750,000 gallons in Prairie Highlands Corporate Park, and that was in the original plan. Also servicing prairie Highlands Corporate Park with water mains along the roadways in that development. And, again, we have water and sewer north and south of 165 in the new development areas. And we also have some off site improvements. For the biggest cost here is the grading and stormwater management at a little over \$16 million. This includes mass grading of our Prairie Highlands Corporate Park except for Aurora which will be doing their own grading due to timing. And it includes stormwater ponds. And then there's some grading on the new area for The Gateway also.

There's a development grant which is being given to Aurora for \$1.8 million to do grading on their site and also on the Outlot 1. And then as part of the development agreement we'll be giving them an additional \$90,000 which will come out of the other grading costs that we have. The KABA loan currently we have a million dollars with KABA to be lended out. Once that's lended out and there's potential for additional loans we will -- these are spaced out over the next number of years for a million dollars each to be given to KABA if and when they need those loans. Land we have a cost of land to purchase in TID #5 which is mainly used to repurchase land due to a development agreement with Haribo. Administrative and legal didn't change much, budgeted at or planned at \$4.5 million.

This is the plan in terms of when the projects are going to be done. We've moved a lot of cost up to '18, '19 and '20. About \$25.9 million is being shifted. And it's mainly due to Prairie Highlands Corporate Park and the grading. With two users already in place we're going to grade the whole Prairie Highlands Corporate Park so we're ready for additional users to purchase land behind to the west of Aurora and Haribo. The next three years don't change at all in terms of how we're projecting to spend money. We're looking at years '24 through '26 an increase of \$5.2 million being spent. And then a reduction in future years of '27 through '29.

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This is our cash flow revenue projection spreadsheet. This is done by Jim Towne with input from our assessors and values from Gateway on what they project their values will be. The column over to the left shows the value changes and what year the value changes will occur. And then they're always delayed one year in terms of when they'll be applied to the increment. And then the collection year is one year later. So those correspond to each of the columns toward the left to give us the total tax incremental collection of \$77.4 million in that column labeled tax incremental collection.

Another revenue source is going to be from the Village of Bristol. They want sewer and water from us, and we're looking at oversizing some stuff and extending water and sewer to their property line so they will be contributing \$1.1 million estimated. We're also looking at some special assessments. We didn't put any revenue for special assessments in here. We haven't finalized how we're going to special assess and what the amounts are. So there will be a positive impact as soon as we finalize the special assessment schedules.

We also will be selling land over the next number of years. Anything sold until TID 2 closes need to go to TID 2. So Aurora and Haribo is going to TID 2 to help pay off their bond. Actually the Prairie Highlands Corporate Park was purchased by TID 2 so the proceeds need to go into TID 2. That \$13 million gross proceeds from land sales there is if we have to purchase Haribo back per the development agreement we would sell it after TID closes so we have the impact in TID #5.

So total revenues are there toward the little bit more farther right. Then it projects out our debt. We're looking at issuing \$61.6 million in TID #5, and we're looking at developer revenue bond of \$2.8 million. We can't borrow for administrative costs so that transfer column is to transfer the money to a fund for administrative cost. So you can see on the end what the TID balance -- what the fund balance will be and what year we're looking at closing this TID. Right now we're looking at closing it two years earlier depending on our projections. But with special assessments even at 50 percent of the total cost we'll close one year earlier at 2036. This is all conservative estimates. So if we sell land earlier tax rates are different, we could close this earlier or it could be pushed back. It all depends on how the economy goes and what happens.

Jean Werbie-Harris:

So as part of the TID project plan we compiled a listing of maps to be included. And there are 11 different maps. Map 1 are the new boundaries added to TID #5 as Amendment #1. It's approximately 127 acres. They're identified in the color green. That's the added territory just to the east of I-94 and to the southeast of I-94 in the existing TID.

Map number 2 show us the boundaries of the floodplains and the wetlands as they pertain to the TID. Map number 3 are the existing uses and conditions of the land within the TID 5, Amendment #1 boundary. Map number 4 are the existing sewer and water mains within the TID,

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Amendment #1. And map number 5 are the existing sewer and water mains including the proposed sanitary sewer lift station sewer and water mains.

Map number 6 is the proposed roundabout location that Kathy had talked about. Again, that's at the intersection of 120th Avenue, 116th Avenue and Corporate Drive and 108th Street. Actually where four streets intersection just to the northeast of Premium Outlets. Map number 7 is the existing zoning of the properties within the TID. And map number 8 this is the proposed zoning within the TID. Again, this is TID 5, Amendment #1.

And map number 9 are the existing land uses. Map number 10 are the proposed land uses. And then the final map is map 11 which is the conceptual drawing of the roundabout, again, that's proposed just to the southeast of the Village's water tower. With that if you have any questions the staff is prepared to answer questions you may have on TID 5, Amendment 1.

Kris Keckler:

Regarding the grading you said because of the two large entities that are moving in we're just going to be grading the whole area now, correct?

Kathy Goessl:

That's right. We're doing it all as this bid that just went out, grading everything.

Kris Keckler:

And that's an outside company that's going to be handling all of that except for Aurora, they're doing their own?

Kathy Goessl:

Aurora is doing their own. And based on our bids that came in they will be able to do that with the \$1.8 million that we will be giving them.

Kris Keckler:

But as far as the rest of that that's still an outside company that's going to be handling all of that work? There's no impact to other projects in the Village by expediting that project?

Kathy Goessl:

No. We received three bids, which we'll talk about later on the agenda, to do all the work in that area, all the grading plus sewer and water and everything. And it's over almost a year and a half time frame into next year.

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Kris Keckler:

Is other construction growth in the area, noticeably north of us, impact schedules as well as far as outfits that would be able to handle that size of grading?

Kathy Goessl:

Matt probably can answer that question in terms of timing of that and if there's any issues with the bids.

Matt Fineour:

As far as the grading is concerned as far as companies?

Kris Keckler:

Yeah, obviously there's a lot of construction going on in the area especially particular to grading and leveling.

Matt Fineour:

So the contract that we're recommending award tonight for the Prairie Highlands Corporate Park has the ability to grade that property within the contract times that we placed out there. So there are companies out there that can handle the work.

Kris Keckler:

Okay, thank you.

John Steinbrink:

No further questions, we need a motion.

Kris Keckler:

Move approval.

Michael Serpe:

Second.

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John Steinbrink:

Motion by Kris, second by Mike. Any final comments or questions? If not, considering Resolution 18-29. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

KECKLER MOVED TO APPROVE RESOLUTION #18-20 APPROVING PROJECT PLAN AND BOUNDARIES FOR THE CREATION OF TAX INCREMENT DISTRICT NO. 5 AMENDMENT #1; SECONDED BY SERPE; MOTION CARRIED 4-0.

John Steinbrink:

Jean, I'm assuming you want B, C and D together?

Jean Werbie-Harris:

Correct.

- B. Receive Plan Commission recommendation and consider approval of Ordinance #18-22 for a Comprehensive Plan Amendment as it relates to wetlands on vacant property located at the southeast corner of 22nd Avenue and 91st Street.**
- C. Receive Plan Commission recommendation and consider approval of Ordinance #18-23 and Ordinance #18-24 for Zoning Map and Zoning Text Amendments as it relates to the development of the vacant land located at the southeast corner of 91st Street and Springbrook Road known as Eva Manor.**
- D. Receive Plan Commission recommendation and consider approval of Certified Survey Map, Vacation of Easements and Development Agreement with related Exhibits for development of vacant land located at the southeast corner of 91st Street and Springbrook Road known as Eva Manor.**

Jean Werbie-Harris:

Mr. President and members of the Board, we have three requests this evening from Dan Szczap, agent, for Bear Development. And this is for the proposed residential development of the vacant land located at the southeast corner of 91st Street and Springbrook Road. The project is to be

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known as Eva Manor. The development includes 42-unit senior housing apartment development and an 8-unit family townhome building as well.

This is a project that was before the Village Plan Commission a couple of times and the Village Board as well. And now we are seeking its final approvals with respect to the Comprehensive Plan, Zoning Map and Text Amendments as well as the Certified Survey map, vacation of some easements that were on a previous CSM as well as a development agreement and some related exhibits. Again, this is property on the southeast corner of 91st Avenue and 22nd Avenue. This is immediately south of the St. Therese Church and School. The City of Kenosha is to the north, and this land lies in the Village of Pleasant Prairie. Again, one 42-unit senior housing apartment building and an 8-unit family townhome building.

Specifically, the four story building will have 42 units of affordable, independent senior apartments, 25 one-bedroom units, 17 two-bedroom units. There are seven different floor plans, a community room, fitness facilities, an outdoor patio gathering space on the south side. The average one bedroom size is 691 square feet. The average two bedroom size is 1,011 square feet. The multi-family townhomes they will be two story townhome buildings. There will be 8 three-bedroom units with individual entrances and an attached one car garage for each unit with direct entry from the garage into the unit. The average square foot for each of these units is 1,312 square feet. In addition, there is some parking in the center of the development as well as 12 garage spaces along the east side of the site, full parking for the users.

The following presents the proposed monthly rental rates that I discussed at the Plan Commission meeting, and this is under the requirements of the WHEDA tax credit program. Again, 42 of the units are senior driven which means that they are people that will be age 55 and over. Currently there is a 15 year deed restriction on the property. The developer has agreed to another 15 years so there will be at least 30 years of deed restriction with respect to the 55 and over for these particular units. In addition, the family units, again, only eight of them, but they will have three bedrooms. Some of the units are market rate and some are based on the county median income percentage.

The onsite parking as I discussed required -- onsite parking 51 spaces are required, 15 are enclosed, plus handicapped accessible parking. Parking spaces provided 73 surface parking, four handicapped accessible spaces and 20 enclosed garages and eight which are within or attached to the townhome units.

The Certified Survey Map and vacation of easements there was a previous Certified Survey Map when this was going to be a condominium development. It's CSM 2616. Some of those easements will need to be vacated, and we have a vacation document that has been presented. And there will be new stormwater, utility, vision triangle and landscaping easements on the new CSM. The Village can only release easements granted to the Village as well as setbacks, and other easements will be released by We Energies. And obviously the new CSM will have new easements for the general utility easements, for the landscaping easements, stormwater and wooded areas and some other easements on the site.

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For this development municipal improvements are limited. Municipal water will be extended within 22nd Avenue to service both buildings. The buildings will connect to the existing sanitary sewer within 22nd Avenue. No new public sanitary sewer needs to be extended. Street trees are the other municipal improvement, and they will be required to be extended along 22nd Avenue on the east side of the existing right of way. 91st Street is entirely within the City of Kenosha, and they have not indicated that they would like to see any additional street trees and no additional street lights.

Wetlands, there is a land use plan amendment. There was a staking that was completed by a biologist on the site. There's a number of wetlands that were considered artificial or could be filled. But there's a very small wetland along the very far west side that's in the ditch line that does need to be preserved and protected. And that wetland will be placed into the C-1, Lowland Resource Conservancy District. And no wetland areas on the site will be placed into the R-11, Multiple Family Residential District. The entire property will also be in that Planned Unit Development Overlay District.

The PUD as I just referenced will allow for more than one building on the property. It will allow to increase the number of apartment units allowed per building to 42 for the senior only apartment, to increase the net density to 15.6 dwelling units per net acre to accommodate the senior development. We will be reducing the senior apartment one bedroom units to a minimum of 675 square feet per unit. Reducing the senior apartment two bedroom units to a minimum of 980 square feet per unit. We will be increasing the building height of the senior building to 53 feet. We're reducing the wetland setback to 15 feet, reducing the minimum setback to 91st Street to 50 feet. And to reduce the minimum setback to 22nd Avenue to 30 feet.

As I mentioned previously the senior apartment units will be restricted to seniors 55 years of age and over for 30 years. The senior apartment building and the townhome style buildings will be both fully sprinklered including the attic areas as approved by the fire and rescue department. Also, a Village DSIS, the digital security imaging system, pursuant to Chapter 410 will need to be installed, inspected and operational for the life of the development.

And then the last thing I have is the development agreement itself for Eva Manor. And I had a final draft as part of the packet for the Village Board. There are a few areas that we have had to make some minor tweaks. I spoke with our Village attorney today, and we can work through those minor adjustments with the developer. Again, there were just a few things that were highlighted. We have to -- they identified that there were some paragraphs and sections in the original development agreement that was adopted as part of TID 4. They recommended some deletions of some of those provisions. And some of them can be deleted, some have to be modified, and some will have to remain based on the Village's current standards. So I just wanted to confirm that.

Also there was some discussion with their attorney about adding an Exhibit D -- I'm sorry, Exhibit G where they discuss in length about the MRO. And when we adopted this original TID

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4 we had put together a debt service and cash flow projection spreadsheet. So we would like to use that as our Exhibit G as opposed to a new MRO for this particular development. The Village over the years has already in accordance with the original development agreement we've already issued the owner some of the bond. And they have actually been working on this project since 2007.

As you will recall we talked about this at Plan Commission that there was up to three or four different developments that they were going to propose at this site. And when the market went down in 2008 to 2012 they kind of put things on hold and they've come back with this project. This project is compatible with the adjacent land uses, and it works well with respect to meeting the housing needs of the Village. But we're not going to reintroduce some new exhibits. I think that we should stay with already the exhibits that Kathy and everyone had put together and that we've been following since 2007.

There have been some minor payments made to the developer, very minor. We actually do have a spreadsheet over the years. Kathy can take a look at that real quick. They've been pretty minor based on it being vacant land. Remember that was an old strip center that through a blighted TID everything was removed. And the soils have been remediated. There's been monitoring wells that have been installed on the site. So we are just finally waiting for the very final letter from the DNR with respect to site closure. They've issued most of the information to us, but we're still waiting for one last letter from them.

Kathy Goessl:

So we've been making payments of whatever increment payments are received in this district which are averaging -- well, the biggest one was \$2,998 this last year. Otherwise they've been \$2,000 or less. So we paid that out. This developer bond has been accruing interest at 9.75. With these minimal payments interest has been accruing at about at the beginning of 30 some thousand a year up to 62 this last year. But based on this schedule and the estimates that were put together on what kind of value we can expect in the future we're looking at payments of increments of about \$615,000 on original estimate of \$452,000. But they would not be paid out in their total interest before this district dissolves.

Jean Werbie-Harris:

So with that if you have any questions regarding the project or the development agreement. We hope to finalize everything with the developer within the week as they would like to host their preconstruction meeting in the next week after that. And then we are going to have them start to pull their permits and start grading. One of the other items that I just wanted to mention is that they will be providing a performance and payment bond to the Village in lieu of a letter of credit. The total cost of all of the public improvements on this site which are minimal is just under \$100,000.

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Michael Serpe:

S.R.? We're putting a lot of people in that corner, mostly seniors. And you're familiar with the corner itself, 91st and 22nd. The south side of 91st Street at 22nd Avenue is not a good, safe for anybody trying to make a right hand turn from 22nd Avenue to go eastbound. It's not a easy, safe turn.

S.R. Mills:

Are you talking about going northbound on Springbrook taking a right on 91st?

Michael Serpe:

Yes. Have you talked to the city about that about any improvements going in there?

S.R. Mills:

Yeah, we've had some conversations early, but there hasn't been -- we haven't really received any feedback specifically to what the eventual plan is. Jean, I don't know if you've had --

Jean Werbie-Harris:

We have not received anything from the city and they've not had any comments. I mean we've gotten no comments back from them.

Michael Serpe:

That's just not going to be an easy, navigable turn for a senior to make every day of the week. And it really should be addressed. I'd like to see at least something done. At least for a certain amount of feet east of 22nd Avenue on 91st, something to make that turn a little safer than what it is.

S.R. Mills:

East of 22nd on 91st.

Michael Serpe:

South shoulder of the road of 91st if you could.

S.R. Mills:

Again, if we're headed north on Springbrook, 22nd there as you take that right headed east on 91st --

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Michael Serpe:

Anybody with a decent sized vehicle has to almost go into the oncoming lane on 91st to make that turn safely. That's not a good scenario.

S.R. Mills:

I understand. It's kind of stuck in the middle, too, as we're trying to figure this out. But I do certainly appreciate that.

Kris Keckler:

As it gets developed and the landscaping in that area take into account what it looks like for drivers approaching that intersection.

S.R. Mills:

Anything that we can do from a landscaping standpoint that's a given, certainly we will. But I appreciate the concern of the turning movements there.

Kris Keckler:

The only other question, and it kind of indirectly popped up, was that area being used as overflow parking for the St. Therese Festival at all? They weren't piling up there.

S.R. Mills:

Specifically the festival I don't think so.

Jean Werbie-Harris:

No.

Kris Keckler:

I didn't think so, but I know they have one of the more populated festivals. I know it's only one weekend, but certainly I think the residents unless their hearing aids are off they'd be listening to that festival for that week.

S.R. Mills:

That's true.

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Mike Pollocoff:

Jean, we've got some blanks in this agreement that we have tonight. So you're saying that exhibits -- the Certified Survey Map is done, right?

Jean Werbie-Harris:

So we have the Certified Survey Map is completed.

Mike Pollocoff:

And then the Exhibit B?

Jean Werbie-Harris:

I'm sorry?

Mike Pollocoff:

Exhibit B is done?

Jean Werbie-Harris:

We do have the DSIS plan, correct, and that has been reviewed by Ryan as well as the Chief.

Mike Pollocoff:

We have the civils?

Jean Werbie-Harris:

We have the civil plans, we have all the detailed development plans. And Matt's reviewed those, and they're in final form as well.

Mike Pollocoff:

And the landscaping is all done?

Jean Werbie-Harris:

The landscaping is done. We have them tweak a few things in the northern two islands adjacent to the building. They're modifying and putting shrubs in there and less of the plant life that will die every winter. And we have modified the shape and size of the island to accommodate the fire

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department connection so that there's no conflict between the two. And the lights are in there as well so we've worked with them on that as well.

Mike Pollocoff:

Okay. And then the blanks for the bonds you say you're getting those numbers. We don't have them yet?

Jean Werbie-Harris:

So what we have is an engineer's estimate of probable costs. We don't have the detailed bid prices in there. And based on our engineers and their engineers we believe that that would be acceptable. Again, it's only for the municipal water and for the street trees and field staking and inspection. And I'm not sure if you have a new one as of today. I mean the last one I had was at \$97,275.

S.R. Mills:

We don't have a new one yet. We had some [inaudible] but we'll be able to swap that out and match it up with the payment performance bond.

Mike Pollocoff:

So a motion for approval tonight would be subject to you completing this document.

Jean Werbie-Harris:

Yes. And, in fact, a number of the other blanks and the other things actually were all completed this afternoon.

Michael Serpe:

I'd move approval of Ordinance 18-23 and 18-24.

John Steinbrink:

We've got to do 18-22 first, and that requires a roll call vote.

Michael Serpe:

Okay, 18-23.

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Kris Keckler:

22.

Michael Serpe:

You want 23 first, right?

John Steinbrink:

No, 22, B.

Michael Serpe:

Let's do B first, 18-22.

Jean Werbie-Harris:

22 would be the first one.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adoption of 18-22. Roll call vote has been requested.

Jane Snell:

Mike Pollocoff?

Mike Pollocoff:

Aye.

John Steinbrink:

Aye.

Kris Keckler:

Aye.

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Michael Serpe:

Aye.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE ORDINANCE #18-22 FOR A COMPREHENSIVE PLAN AMENDMENT AS IT RELATES TO WETLANDS ON VACANT PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 22ND AVENUE AND 91ST STREET; SECONDED BY KECKLER; ROLL CALL VOTE – MIKE POLLOCOFF – YES; JOHN STEINBRINK – YES; KRIS KECKLER – YES; MICHAEL SERPE – YES; MOTION CARRIED 4-0.

Michael Serpe:

Now it's okay for 18-23 and 18-24, approval on both. They're in the same agenda item.

John Steinbrink:

Motion made for adoption of 18-23 and 18-24. Do we have a second?

Kris Keckler:

Second.

John Steinbrink:

A second. Further discussion on 18-23 or 18-24? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-23 AND ORDINANCE #18-24 FOR ZONING MAP AND ZONING TEXT AMENDMENTS AS IT RELATES TO THE DEVELOPMENT OF THE VACANT LAND LOCATED AT THE SOUTHEAST CORNER OF 91ST STREET AND SPRINGBROOK ROAD KNOWN AS EVA MANOR; SECONDED BY KECKLER; MOTION CARRIED 4-0.

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John Steinbrink:

That brings us to Item D, 18 -- we need approval of the Certified Survey Map.

Kris Keckler:

Move approval of the CSM.

Mike Pollocoff:

Second.

John Steinbrink:

Motion by Kris, second by Mike. Any discussion on this item? Those in favor?

Voices:

Aye.

KECKLER MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE CERTIFIED SURVEY MAP, VACATION OF EASEMENTS AND DEVELOPMENT AGREEMENT WITH RELATED EXHIBITS FOR DEVELOPMENT OF VACANT LAND LOCATED AT THE SOUTHEAST CORNER OF 91ST STREET AND SPRINGBROOK ROAD KNOWN AS EVA MANOR SUBJECT TO THE COMPLETION OF ALL DOCUMENTS; SECONDED BY SERPE; MOTION CARRIED 4-0.

John Steinbrink:

Opposed? So carries. We're going to make a couple swaps here. We've got people in the audience who probably would like to go home. Of course, everybody would like to go home. If we can bring H and I -- no, H and I and J up?

Mike Pollocoff:

I move that we readjust the agenda to bring Items H, I and J for consideration at this time.

Kris Keckler:

Second.

John Steinbrink:

We a motion and a second. Those in favor?

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Voices:

Aye.

John Steinbrink:

I believe they all relate to Kwik Trip.

POLLOCOFF MOVED TO CONSIDER NEW BUSINESS ITEMS H, I AND J TOGETHER AT TIME TIME; SECONDED BY KECKLER; MOTION CARRIED 4-0.

- H. Receive Plan Commission recommendation and consider approval of Certified Survey Map and Development Plans for the property located north of STH 165 along 120th Avenue to be known as The Gateway at LakeView Corporate Park.**
- I. Receive Plan Commission recommendation and consider approval of Ordinance #18-27 for a Comprehensive Plan Amendment as it relates to vacant property located north of STH 165 along 120th Avenue to be known as The Gateway at Lakeview Corporate Park.**
- J. Receive Plan Commission recommendation and consider approval of Ordinance #18-28 and Ordinance #18-29 for a Zoning Map and Text Amendments as it relates to vacant property located north of STH 165 along 120th Avenue known as The Gateway at LakeView Corporate Park.**

Jean Werbie-Harris:

Mr. President and members of the Board, the three requests this evening from Mark Eberle, P.E., with Nielsen Madson & Barber on behalf of WisPark, LLC. And this is for the development of the property known as The Gateway at LakeView Corporate Park north of 165 along 120th Avenue, the East Frontage Road. The three projects are the Certified Survey Map and Development Plans, the Comprehensive Plan Amendment and the Zoning Map and Text Amendment.

As you know, back in December of 2017 The Gateway at LakeView Corporate Park received approval from the Village Board of a Master Conceptual Plan. And this was conditionally approved, and that plan at that time identified five different parcels at the northeast corner, four that had some probable identifiable building sites on it. And they have since given us a couple of other concept drawings that show multiple buildings on Lot 1 and on Lot 4. And this initial concept plan was designed in order to move a specific project forward at the same time, and that is for Kwik Trip.

The Certified Survey Map that you have before you identifies at this time three lots and one outlot, the maximum number by CSM. Lot 1 is 3.488 acres, Lot 2 is 3.912 acres for the future Kwik Trip store number 296 site. Lot 3 is 6.347 acres, and this also could be further subdivided.

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Outlot 1 which is to the east contains stormwater management, open space, wetlands as well as sanitary sewer as well as a gravel pathway. And that is 8.809 acres.

The wetlands were delineated on the property on September 8 and 11, 2015 by Wetland & Waterway Consulting. The DNR has exempted wetlands 1 and 2 from the state wetland regulations. All of the wetlands that remain on the site will be located in Outlot 1. They're identified as wetlands, and this area is also identified as a primary environmental corridor.

With this development there are some public and private improvements, sanitary sewer, street trees, street lights and multi-use path are the public improvements as defined on the site. There's a series of easements that are shown on the Certified Survey Map that reflect where these public areas of improvements are located. And there's also a series of private work with public easements over them so that the Village has the right but not the obligation to maintain some easements areas for the developer if they don't do it.

Comprehensive Plan Amendment you have before you, the 2035 Land Use Plan Map 9.9 is proposed to be amended in order to correctly identify the field delineated wetlands within the primary environmental corridor. The nonwetland areas within the Outlot 1 will be part of the Park, Recreation and Other Open Space land use designation. Other land use designations on the property will remain and that's the Business District. And Appendix 10-3 will be updated to reflect the noted changes to the Land Use Plan Map.

The Zoning Map Amendments before you, again, are to reflect those areas that are wetlands to be placed in the C-1, Lowland Resource Conservancy District. The stormwater management facilities will be placed into the PR-1 District. Lots 1, 2 and 3 of the CSM will remain in the B-6 District. And, again, there will be an overreaching PUD over all the properties. And those areas that are specifically designated as FPO or Floodplain Overlay District will remain unchanged. And that's primarily the far eastern corner of Outlot 1.

The Zoning Text Amendment, the PUD to be created for The Gateway at LakeView Corporate Park, the PUD includes the following dimensional modifications for the open space in the development to be a minimum of 30 percent rather than 25 percent per lot. To decrease the setback of the parking lots, maneuvering lanes from the east property line adjacent to Outlot 1 to zero feet rather than the required 20 feet. Again, all of that area to the east is open space, outlot and then it continues for 1,000 acres of conservancy and open space. For a zero foot setback to all interior property lines to allowed for shared cross-access and parking access. So it is intended that these properties all have cross-access easement from one to the other with restricted or limited access on the East Frontage Road. To reduce the street setback for a building on Lot 1 to 50 feet from 65 feet on both Highway 165 and 120th Avenue. And to allow for more than one building on Lots 1 and 3 of the proposed CSM.

So those are the different requests this evening for the Certified Survey Map. We do have development plans that we have conditionally approved on this project. We had some just minor tweaks this afternoon for the Certified Survey Map, so we'll be finalizing that. In fact, it might have been finalized already. Kurt was working on that with the surveyor. The Comprehensive

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Plan Amendment we're seeking approval for this evening as well as the Zoning Map and Text Amendments.

The one last piece that connects this project with TID 5 as Amendment #1 is the development agreement. And that development agreement has been reviewed by staff. It's going to be sent over to the developer probably tomorrow. And that is anticipated to be on Monday nights Plan Commission and Board agenda. So with that the staff recommends approval of all the items as presented.

Mike Pollocoff:

Mr. President, I'd recommend approval of Item H for the Certified Survey Map and development plans.

Michael Serpe:

I'll second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE CERTIFIED SURVEY MAP AND DEVELOPMENT PLANS FOR THE PROPERTY LOCATED NORTH OF STH 165 ALONG 120TH AVENUE TO BE KNOWN AS THE GATEWAY AT LAKEVIEW CORPORATE PARK; SECONDED BY SERPE; MOTION CARRIED 4-0.

Mike Pollocoff:

Mr. President, I recommend approval of Ordinance 18-27 for Comprehensive Plan Amendment for The Gateway.

Michael Serpe:

Second.

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John Steinbrink:

We have a motion and a second. This is a roll call vote that's been requested.

Jane Snell:

John Steinbrink?

John Steinbrink:

Aye.

Michael Serpe:

Aye.

Kris Keckler:

Aye.

Mike Pollocoff:

Aye.

John Steinbrink:

Motion carries.

POLLOCOFF MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-27 FOR A COMPREHENSIVE PLAN AMENDMENT AS IT RELATES TO VACANT PROPERTY LOCATED NORTH OF STH 165 ALONG 120TH AVENUE TO BE KNOWN AS THE GATEWAY AT LAKEVIEW CORPORATE PARK; SECONDED BY SERPE; ROLL CALL VOTE – JOHN STEINBRINK – YES; MICHAEL SERPE – YES; KRIS KECKLER – YES; MIKE POLLOCOFF – YES; MOTION CARRIED 4-0.

Kris Keckler:

Move approval of 18-28 and 18-29.

Mike Pollocoff:

I second that.

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John Steinbrink:

We have a motion and a second for adoption of Ordinance 18-28 and 18-29. Further discussion?
Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KECKLER MOVED TO CONCUR WITH THE PLAN COMMISSION
RECOMMENDATION AND ADOPT ORDINANCE #18-28 AND ORDINANCE #18-29 FOR A
ZONING MAP AND TEXT AMENDMENTS AS IT RELATES TO VACANT PROPERTY
LOCATED NORTH OF STH 165 ALONG 120TH AVENUE KNOWN AS THE GATEWAY AT
LAKEVIEW CORPORATE PARK; SECONDED BY POLLOCOFF; MOTION CARRIED 4-0.**

John Steinbrink:

Now, to screw things up for Jean we're going to jump over K and take up L and M. Do we have
motion that we can do that?

Kris Keckler:

Motion to move L and M up on the agenda.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

KECKLER MOVED TO CONSIDER NEW BUSINESS ITEMS L AND M AT THIS TIME; SECONDED BY SERPE; MOTION CARRIED 4-0.

- L. Receive Plan Commission recommendation and consider approval of the First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Prairie Highlands Corporate Park.**
- M. Receive Plan Commission recommendation and consider approval of the Development Agreement/Tax Shortfall Agreement with related Exhibits for proposed Aurora Health Center, Pleasant Prairie Ambulatory Care Center and Medical Office Building located at the northwest corner of 104th Street and 120th Avenue within the Prairie Highlands Corporate Park.**

Jean Werbie-Harris:

Mr. President and members of the Board, the first item, Item L, is consider approval of the first amendment to the Declaration of Covenants, Conditions and Restrictions and Easements for the Prairie Highlands Corporate Park. The Prairie Highlands Corporate Park Declarations were approved by the Village Plan Commission and the Board back on May 14th. And they were recorded at the end of May. We have been working with the Aurora group in order to take a look at the declarations to see if they needed to see any modifications to those declarations. They've presented a first amendment to us with some minor modifications that I went through in detail at the Village Plan Commission meeting earlier this evening.

The first amendment addressed probably about 11 different modifications to Exhibit J. And they refer to the Aurora property in the declarations as a large healthcare parcel. And those provisions that were amended reflect specifically their project. And specifically the amendments that we made to the declarations were amendments that reflect modifications as addressed in the Development Agreement that is the next item on the agenda. So what I mean by that is the Development Agreement modifies, clarifies or extends variations to the declarations to them based on the terms, conditions, the exclusivity as well as provisions relating to easements, the timing of construction, the timing for completion of construction and their ability to work on this project in multiple development or construction phases or stages. If needed I can go through each of the modifications again.

John Steinbrink:

No, it's still pretty fresh in our memories from less than a couple hours ago. But thank you, Jean.

Jean Werbie-Harris:

The staff does recommend approval of the Amendment #1 -- or, excuse me, first amendment to the Declaration of Covenants, Conditions, Restrictions and Easements as presented and described

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earlier this evening as in the packet of information. Again, there was some discussion regarding clarification of some of those points. And I think that those questions were answered.

Mike Pollocoff:

I make a motion we approve the first amendment to the Prairie Highlands Covenants as presented.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Any further discussion on this item. Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE THE FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR PRAIRIE HIGHLANDS CORPORATE PARK AS PRESENTED; SECONDED BY KECKER; MOTION CARRIED 4-0.

Mike Pollocoff:

Mr. President, I'd recommend that Item 8M we approve the Aurora Development Agreement as presented.

Michael Serpe:

Second.

John Steinbrink:

Motion by Mike, second by Mike. Further discussion? Hearing none, those in favor?

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Voices:

Aye.

John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE THE DEVELOPMENT AGREEMENT/TAX SHORTFALL AGREEMENT WITH RELATED EXHIBITS FOR PROPOSED AURORA HEALTH CENTER, PLEASANT PRAIRIE AMBULATORY CARE CENTER AND MEDICAL OFFICE BUILDING LOCATED AT THE NORTHWEST CORNER OF 104TH STREET AND 120TH AVENUE WITHIN THE PRAIRIE HIGHLANDS CORPORATE PARK AS PRESENTED; SECONDED BY SERPE; MOTION CARRIED 4-0.

Jean Werbie-Harris:

I just want to just clarify similar to earlier this evening there was that one modification that as requested by their attorney, and I read that into the record at the previous meeting.

John Steinbrink:

Correct, and that was all included in that earlier.

Jean Werbie-Harris:

Yes, thank you.

John Steinbrink:

Thank you, gentleman. That moves us back to our regularly scheduled program. We're up to Item E.

John Steinbrink:

And you want to do F and G with that, Jean?

Jean Werbie-Harris:

Yes, please.

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John Steinbrink:

Approval to do that? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO CONSIDER NEW BUSINESS ITEMS E, F AND G AT THIS TIME; SECONDED BY SERPE; MOTION CARRIED 4-0.

- E. Receive Plan Commission recommendation and consider Certified Survey Map for approval to subdivide property located at the northeast corner of 120th Avenue and CTH Q in the Prairie Highlands Corporate Park.**
- F. Receive Plan Commission recommendation and consider approval of Ordinance #18-25 for a Comprehensive Plan Amendment as it relates to wetlands on vacant properties located at the northeast corner of 120th Avenue and CTH Q and the northeast corner of 120th Avenue and Goldbear Drive.**
- G. Receive Plan Commission recommendation and consider approval of Ordinance #18-26 for a Zoning Map Amendment to rezone the wetlands and outlots used for stormwater for the vacant properties located at the northeast corner of 120th Avenue and CTH Q and the northeast corner of 120th Avenue and Goldbear Drive.**

Jean Werbie-Harris:

Mr. President and members of the Plan Commission, there are three requests this evening, a Certified Survey Map, a Comprehensive Plan Amendment and Zoning Map Amendment. And these are all at the request of the Village of Pleasant Prairie, the owners of the properties generally located at the northeast corner of 120th Avenue and County Trunk Highway Q or 104th Street in the Prairie Highlands Corporate Park.

The request this evening, the first request had to do with the wetland impacts after field delineated wetlands were completed by the Village's consultant. The attached wetland impacts and the alternatives analysis that was completed to the DNR there were some areas of wetlands that are going to be filled and developed at Goldbear Drive and 120th Avenue for the construction of that roadway. Those areas that are going to be filled and developed would be identified as nonwetland areas and not be rezoned into the C-1 in those areas to be filled would accommodate, again, the construction of the new roadway system and the bridge areas.

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A Certified Survey Map has been prepared. We have gone through its final, final draft this afternoon. And so it is I think in final form at this point. Lot 1 is proposed to be 142.0831 acres. It's intended to be further developed and subdivided. Lot 2 is approximately 63.7124 acres. It's proposed to be sold to Aurora for the development of the proposed Aurora Healthcare Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building. And Outlot 1 is approximately 34.8470 acres. It will be used for stormwater facilities, for regional stormwater facilities and for Aurora stormwater for Prairie Highlands Corporate Park, as well as I think there's a multi-use trail system that's also adjacent to that as well as open space. There are some floodplain and wetland in that area as well.

The Comprehensive Plan Amendment, again, Land Use Plan Map 9.9 is proposed to be amended. And this is to correctly show the field delineated wetlands excluding those that are proposed to be filled and developed. They will be placed in the Park, Recreation and Other Open Space Lands. And then to place the nonwetland areas of Outlot 1, CSM 2849, and Outlot 1 of the proposed CSM that is proposed to be used for primarily stormwater management purposes and other open space and trail purposes into the Park, Recreation and Other Open Space Land Use designation. Appendix 10-3 of the Comprehensive Plan is proposed to be updated to include those amendments.

And then the Zoning Map is also proposed to be amended first to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District, and to rezone the nonwetland areas within Outlot 1 of CSM 2849 and Outlot 1 of this CSM into the PR-1, Neighborhood, Park and Recreational District. Lots 1 and 2 of the proposed CSM excluding any wetlands will remain in the M-5, Production, Manufacturing Zoning District. Any lands that are zoned FPO will remain in the Floodplain Overlay District as they will remain unchanged at this time. The wetland areas there's two small wetlands that are shown in Lot 2 on the Aurora site. Those are intended to be preserved and protected and incorporated into their development site.

With that, the staff recommends approval of the Certified Survey Map, Comprehensive Plan Amendment, Zoning Map Amendments for the project.

Kris Keckler:

Move approval of the Certified Survey Map as noted.

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second for adoption of E. Further discussion? Hearing none, those in favor?

Voices:

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Aye.

John Steinbrink:

Opposed? So carries.

KECKLER MOVED TO CONCUR WITH PLAN COMMISSION RECOMMENDATION AND APPROVE CERTIFIED SURVEY MAP TO SUBDIVIDE PROPERTY LOCATED AT THE NORTHEAST CORNER OF 120TH AVENUE AND CTH Q IN THE PRAIRIE HIGHLANDS CORPORATE PARK; SECONDED BY POLLOCOFF; MOTION CARRIED 4-0.

Michael Serpe:

Move approval of Ordinance 18-25.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adoption of 18-25. We have a roll call vote requested.

Jane Snell:

Mike Pollocoff?

Mike Pollocoff:

Aye.

John Steinbrink:

Aye.

Kris Keckler:

Aye.

Michael Serpe:

Aye.

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John Steinbrink:

Motion carries.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-25 FOR A COMPREHENSIVE PLAN AMENDMENT AS IT RELATES TO WETLANDS ON VACANT PROPERTIES LOCATED AT THE NORTHEAST CORNER OF 120TH AVENUE AND CTH Q AND THE NORTHEAST CORNER OF 120TH AVENUE AND GOLDBEAR DRIVE; SECONDED BY KECKLER; ROLL CALL VOTE – MIKE POLLOCOFF – YES; JOHN STEINBRINK – YES; KRIS KECKER – YES; MICHAEL SERPE – YES; MOTION CARRIED 4-0.

Michael Serpe:

Move approval of Ordinance 18-26.

Mike Pollocoff:

Mr. President, I second that. And I'd like to offer as the wheel grinds if you think about this area that was the site of a former adult book store, a really long east to west bookstore, I know several members of staff were in there at one point or another gathering evidence for a lawsuit.

Kris Keckler:

Nice save.

Mike Pollocoff:

Yeah. But it was -- I mean it takes a while for some of these things to come to fruition. But if you look at what we've made happen out of something that was an interesting enterprise but not really valuable to the community this is a perfect example. So I second that motion.

John Steinbrink:

Okay, we have a motion and a second. Any further discussion? Seeing there's no exhibits to be shown. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION
RECOMMENDATION AND ADOPT ORDINANCE #18-26 FOR A ZONING MAP
AMENDMENT TO REZONE THE WETLANDS AND OUTLOTS USED FOR STORMWATER
FOR THE VACANT PROPERTIES LOCATED AT THE NORTHEAST CORNER OF 120TH
AVENUE AND CTH Q AND THE NORTHEAST CORNER OF 120TH AVENUE AND
GOLDBEAR DRIVE; SECONDED BY POLLOCOFF; MOTION CARRIED 4 – 0.**

John Steinbrink:

That brings us to Item K.

- K. Receive Plan Commission recommendation and consider approval of Ordinance #18-30 and Ordinance #18-31 for Zoning Text Amendments as it relates to property located at 8531 and 8601 75th Street to repeal and create a new PUD.**

Jean Werbie-Harris:

Mr. President and members of the Board, this is a Zoning Text Amendment request for Ordinance 18-30 and 18-31 at the request of Mark Eberle, agent on behalf of Michael Willkomm, and this is for the purchase and redevelopment of the Truesdell Plaza. And that is located at 8531 and 8601 75th Street. They are requesting to repeal the existing Truesdell Plaza PUD and create a new PUD for the redevelopment of the site for a Rocket Wash.

The new property owner intends to remove the gasoline facility building, canopy and fueling islands and underground fuel tanks and construct a new Rocket Wash car wash facility. The existing western multi-tenant building on the site currently occupied by Merlin Muffler and Martino's Master Dry Cleaners will remain on the site.

Mike Willkomm went through a pretty detailed presentation about Rocket Wash, and I just wanted to show you some of the photos so you have a better idea if you didn't attend that meeting. The new facility will allow customers to stay in their vehicles as the vehicles are washed. Total wash time is about two minutes. After the vehicles exit the car wash there's 20 vacuum stalls for their use on the east side of the building.

There was considerable discussion at the Plan Commission as to how and where the cars would enter the site. And, again, until Highway 50 is reconstructed in 2021, the customers will be able to come in the site either from the shared cross-access entrance that is shared with Willow Pointe or the secondary western access off of Highway 50. There are three queuing lanes to allow cars to stack to get through to the end facility where they can pay. Or if they have a pass they can swipe and go through or if there's someone who is checking to pay money to an attendant. Once you get past that canopy area then the cars line up single file, go into the proposed building. They circle around to the north, come through the vacuum area and then circle back around the south side of the property and then exit to the north.

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Hours for the facility are between 7 a.m. and 9 p.m. Monday through Saturday, 7 to 8 on Sundays. They could serve up to or they say an average of 300 vehicles per day. There are 15 full-time employees and five part-time employees. Total parking 48 spaces. On a typical day 41 cars as shown in blue could be stacked waiting to enter the car wash without blocking access to the adjacent properties.

On the occasional day when a car wash is at its peak the illustration that's shown on the slide shows how more than 41 cars could be queued on the site around the Merlin Muffler shop without blocking access to the adjacent properties. As you can see there's an area just to the north I just circled where if they find that it's an extremely busy, busy day, the workers can go out, place a series of cones, they can redirect the traffic to go around the Merlin Muffler and then come back up through and then queue back through that area and then come into the facility. This is rare and it's only on peak days. But it would allow traffic to move to and through and around these buildings on his property without blocking the east/west cross-access easements between the Willow Pointe, through this property, through Merlin Muffler and the property to the west.

There were some questions and concerns with respect to the property to the west. And right now there is cross-access that is proposed at two different locations to the west that would eventually connect either to Highway H as a right in right out, or hopefully there would be a connection to the southwest to an intersection with 76th Street. This is just a blowup of the map that we showed at the Plan Commission meeting since there was considerable discussion about the Highway 50 access management plan which I personally started working on in 1987. And it has been through this community with approvals, I don't know, maybe six, seven times since 1987. So this is the adopted access management plan as prepared by the DOT which will actually be coming to fruition in 2020, 2021 with the widening of Highway 50 to eight lanes.

And, again, this area does show the access points that are being removed and adjusted in Highway 50. This particular plan does show that cross-connection and roadway that's coming down and through. This was one of the plans that had been discussed at length. I know that there is some concern by the property owner to the west, but cross-access is critically important to his development, the cross-access to the east, as well as east development for cross-access to the west. And we are happy to work with all the property owners to accomplish that so that there is good flow and movement through both properties to get to Highway 50 and to get to Highway H.

So engineering put together this slide that depicts how Highway 50 access management plan will change and modify the driveways in Highway 50. And, again, likely this will be happening in 2021. The plan indicates that the full median turning access will be eliminated, and no left turn lane from the site onto Highway 50 will be allowed. In addition, one shared access will be provided for the Willow Pointe Plaza development to the east as well as traffic coming from the west to the north.

Cross-access easements have been identified and discussed and talked about at least as early in public formats in addition to the access management plan. But when Truesdell rebuilt this site in

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1994 it was very clear at that time that access easements were recorded criss-crossing through their property on the north end and the south end in order to get access to and through the developments to get to Highway H and then eventually link that traffic back up to Highway 50.

The Zoning Text Amendment as requested this evening, again, we're repealing the previous PUD. Two principal buildings allowed on the property. Detached trash enclosure allowed for the car wash building. Pavement setbacks three feet to the east property line, ten feet to the west, 20 foot to the rear. No closer to Highway 50 than currently located. All signage Merlin Muffler space not to exceed 130 feet. Martino's space not to exceed 20 feet. Rocket Wash to have 150 feet pursuant to current sign requirements. As a result of these modifications the Village will require that cross-access be maintained to the properties to the east and for the future development to the west.

Also as discussed at the Plan Commission meeting in order to seek greater compliance with the developer and landowner to the east, that green space area that contains the plantings that wherever there's openings in the landscaping that Rocket Wash owners have agreed to plant some additional screening and berming, no fencing but additional screening. There's a considerable amount out there because they were concerned with the noise possibly from the vacuums. It's believed that the traffic on Highway 50 is probably going to be louder than the vacuums. But they have agreed, and the landowner to the east has agreed to grant easements to Mike Willkomm and Rocket Wash in order to do some additional planting.

The staff recommends approval of the requests as presented for the Zoning Map and Text Amendments. Again, this was before Plan Commission, and the site and operational plans were conditionally approved.

John Steinbrink:

Jean, at last week's public hearing during Planning Commission Attorney McTernan kind of made it sound like his client who owns the property to the west wasn't interested in playing nice on these projects. Question to Tom, have you heard anything about the state moving ahead with the Highway 50 if and when this should ever happen? Or is this maybe just something that's not going to happen and that cross-access may not be as important as it once was. The Village has done their part all along to make sure we lived up to the plan. The city has been dragging their feet. And the state doesn't have any money.

Tom Shircel:

I have not, Mr. President, heard an update on Highway 50. I know Jean, you mentioned 2021 as a possible date.

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Jean Werbie-Harris:

We actually have quarterly meetings with the DOT, and at our last quarterly meeting Jason Dahlgren from the DOT had indicated to us that 2020 would be the western segment of Highway 50. They're in the process of land acquisition right now. And 2021 would be that area just west of Highway H to approximately 43rd Avenue in the city.

John Steinbrink:

And Rocket Wash the people were here and they're aware of that.

Jean Werbie-Harris:

They are aware of it and [inaudible].

John Steinbrink:

Is there anything we can do to make that access happen as part of an order re development?

Jean Werbie-Harris:

Our recommendation is to continue with our planning processes. We have adopted plans, comprehensive plans, neighborhood plans. We've got adopted access management plans, transportation plans. I had a conversation with the DOT last week, two different people, and their understanding was we've been working together for a very long time, and cross-access is critical for all of these developments. Not only for the consumers and the businesses, but for police and fire protection as well in order for them to access these sites and to provide assistance to these businesses.

Michael Serpe:

John, last week at the Plan Commission Mike's years of service to the Village came in handy. He adequately pointed out to Mr. McTernan that since 1987 the state has indicated a cross-access easement between those two parcels, and that kind of put this thing to bed as far as I'm concerned. With that I'd move approval of 18-30 and 18-31.

Mike Pollocoff:

I'll second it.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION
RECOMMENDATION AND ADOPT ORDINANCE #18-30 AND ORDINANCE #18-31 FOR
ZONING TEXT AMENDMENTS AS IT RELATES TO PROPERTY LOCATED AT 8531 AND
8601 75TH STREET TO REPEAL AND CREATE A NEW PUD; SECONDED BY POLLOCOFF;
MOTION CARRIED 4-0.**

N. Consider the Award of Construction Contract with Reesman's Excavating and Grading, Inc. for the Prairie Highlands Corporate Park.

Matt Fineour:

Mr. President and members of the Board, this is an award of a construction contract for the Prairie Highlands Corporate Park. The project consists of one prime contract generally consisting of the following work. We're mass grading approximately 300 acres including six regional detention ponds. We'll be installing approximately 7,500 linear feet of roadway, 7,500 linear feet of ten foot wide multi-use path. We'll be installing one 20 foot wide span, 88 foot long Conspan bridge with railings. That Conspan bridge will look a lot like the one at RecPlex. We'll be installing 7,700 linear feet of water main, 6,800 linear feet of sanitary sewer, and approximately 9,600 linear feet of storm sewer.

On the slides this slide just represents the general area of the Prairie Highlands Corporate Park outlined in red. You can go to the next slide. The colored area here is the area that we're going to be mass grading. So with that we're going to be mass grading all the area that's associated with the Haribo property. We'll be installing six regional detention ponds here that are in blue. And we're going to mass grade the areas to the west of the north/south road or 128th Avenue. With that Aurora is going to be responsible for grading their site. So once this is done really the whole corporate park is going to be mass graded.

This slide more or less represents the roadways. The north/south road which is actually going left/right on the exhibit is 128th Avenue. And that's going to be a 49 foot back-to-back road, two lanes in each direction. And the east/west road which is going straight up and down is going to be a boulevard section, that's Goldbear Drive. Both these roads are going to be composite roadway pavement sections very similar to the ones in our LakeView Corporate Park. They'll have an eight inch concrete base with inch and three quarter asphalt surface on them. And there will be a multi-use path along 128th Avenue on the west side and along Goldbear Drive on the south side. That's just a cross-section of Goldbear Drive showing the boulevard section.

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This exhibit shows the water main that's going to be installed in general. The water main is going to loop our existing system so we're going to come off of Highway Q, go straight north all the way up to Highway C and loop around to the West Frontage Road. There will be a future contract which will have a water tower which will be kind of on the north side of the site by the cul-de-sac on 128th Avenue. That water tower is not part of this contract but will be bid out shortly later this summer. And that will help service areas out west of I-94 and really this whole general area as demands increase.

For sanitary sewer it's going to follow very similar alignment to the water main. We're going to have sanitary sewer along Goldbear Drive and along 128th Avenue to service future developments in this area. There will also be a sanitary sewer future extension going to Bristol which will service an area in Bristol as well. So we're taking that into consideration.

For this project bids were taken on June 7th. Bids were publically opened and read aloud. There's a total of three bids which were received for the project. The lowest base bid was submitted by Reesman's Excavating and Grading of Burlington, Wisconsin in the amount of \$17,394,896 and tack on the 45 cents at the end. The second low based bid was submitted by Zignego, Incorporated of Waukesha in the amount of \$18,790,687.55. And the high base bid was submitted by Ryan, Incorporated Central of Janesville, Wisconsin in the amount of \$19,646,857.75.

Out of this we're recommending the award go to Reesman's Excavating and Grading for the amount of \$17,394,896.45. I did have a slide in there that broke that \$17 million out in the category of the stormwater and roadways and so forth. So out of that \$17 million just to give you a feel of what the expenditures are going for approximately \$9 million of that is grading the corporate park. Another \$3.6 million is for the roadways, \$2.5 million is for the storm sewer, \$1.1 million for the water main, and about \$900,000 for the sanitary sewer. So that's how that \$17 million breaks out.

As far as the price goes the price is in line with what we were estimating back when we were estimating for general TID costs. If I take the same level of work out of that TID cost we were estimating approximately \$21 million. So this is a good price as far as what we were estimating, and all the actual unit prices within this contract actually they're very good unit prices. We've got I think a good bid on this project. I was a little concerned with Foxconn going on and stuff like that.

Even all three bids came in and I think they were very competitive. Gave us good prices on a lot of the stuff, bid items. And I think some of that had to do with we're extending this contract into next year, so a lot of this work we're awarding it now, and they have work that goes into this year, and they basically have next year kind of locked up. So I think with that bidding it now and work going into next year was really a good incentive for some of these contractors to say, hey, we have a good project here that will take us into next year. I think that did us a world of good in that instance.

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Mike Pollocoff:

Matt, have you seen any unit prices on the Foxconn?

Matt Fineour:

I have not. All I know is the smaller projects that I've seen around I've heard have been very high. In fact, I think the last thing I heard was the Welcome Center project went out to bid to DOT, and they said it was like 68 percent over their estimate. That's a smaller project. So I think we snuck this one in. I think bidding all this out work all at one time was good.

Michael Serpe:

You think Reesman will give us a break on the 45 cents?

Matt Fineour:

I think so.

Mike Pollocoff:

Matt's been working on this whole project, I know he's been putting some weekends in. And he has been doing it with some of the targets for development moving around all over the place. He did a really good job of shepherding it to this point. I recommend we accept the proposal as submitted and include the 45 cents to Reesman's excavating in an amount not to exceed \$17,394,896.45.

Kris Keckler:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion? I'd put my two cents in but that's make it 47 cents. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

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POLLOCOFF APPROVED THE AWARD OF CONSTRUCTION CONTRACT WITH REESMAN'S EXCAVATING AND GRADING, INC. FOR THE PRAIRIE HIGHLANDS CORPORATE PARK; SECONDED BY KECKLER; MOTION CARRIED 4-0.

9. VILLAGE BOARD COMMENTS

John Steinbrink:

Had some great events out at the park there. I noticed all the people participating with the special bicycles and that. It's always fun to watch them and hard they compete and try and get the job done. I mean it's just amazing. It was also nice to see how easy it was to block H by only having to block one little thing on the roundabout so traffic could not flow down H. But yet traffic as it came could leave H without a problem.

10. ADJOURNMENT

Michael Serpe:

I move to adjourn.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adjournment. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KECKLER; MOTION CARRIED 4-0 AND MEETING ADJOURNED AT 8:16 P.M.