

**AGENDA**  
**VILLAGE OF PLEASANT PRAIRIE**  
**PLEASANT PRAIRIE VILLAGE BOARD**  
**PLEASANT PRAIRIE WATER UTILITY**  
**PLEASANT PRAIRIE SEWER UTILITY**  
**Village Hall Auditorium**  
**9915 – 39th Avenue**  
**Pleasant Prairie, WI**  
**March 19, 2018**  
**6:00 p.m.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes of Meetings – Regular meetings dated February 19, 2018 and March 5, 2018;  
Special meeting dated March 5, 2018
5. Citizen Comments (Please be advised per State Statute Section 19.84(2), information will be received from the public on items not on the agenda; however, no discussion is allowed and no action will be taken under citizen comments.)
6. Administrator's Report
7. New Business
  - A. Consider the request of Fountain Ridge, LLC to release Draw No. 7 of the Letter of Credit for the Fountain Ridge development.
  - B. Consider 2018-2019 Liability and Property Insurance Proposals.
8. Village Board Comments
9. Adjournment

The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk's Office, 9915 – 39th Avenue, Pleasant Prairie, WI (262) 694-1400

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

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

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. PRESENTATION**

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

Chief Smetana:

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

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

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

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

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

Sara Borst:

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

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

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

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

Michael Serpe:

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

John Steinbrink:

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

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

Tom Shircel:

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

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

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Michael Serpe:

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

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

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

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

Tom Clark:

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

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

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

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

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

John Steinbrink:

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

Steve Kumorkiewicz:

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

John Steinbrink:

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

Tom Clark:

That's right, gray is better.

John Steinbrink:

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

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**5. MINUTES OF MEETING - FEBRUARY 5, 2018**

Dave Klimisch:

Move approval.

Kris Keckler:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**KLIMISCH MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD REGULAR MEETING FEBRUARY 5, 2018 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

**6. CITIZEN COMMENTS**

Jane Snell:

Mr. President, there were no signups this evening.

John Steinbrink:

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

**7. ADMINISTRATOR'S REPORT**

Tom Shircel: No report.

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**8. NEW BUSINESS**

Michael Serpe:

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

Kris Keckler:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

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

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

John Steinbrink:

Kevin, it's all yours.

Kevin Long:

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



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

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

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

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

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

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

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

Michael Serpe:

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

Kevin Long:

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

Steve Kumorkiewicz:

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

Michael Serpe:

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

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Further discussion?

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

Kris Keckler:

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

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

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

Kevin Long:

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

John Steinbrink:

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

Michael Serpe:

Move approval of the contract with Riley Construction.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

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

Kevin Long:

Thank you, it's an honor.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

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

Dave Klimisch:

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

Michael Serpe:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

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

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

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

Tom Shircel:

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

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

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

Michael Serpe:

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

John Steinbrink:

Let's do that.

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Michael Serpe:

Move approval of Resolution 18-05.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Michael Serpe:

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

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

Steve Kumorkiewicz:

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

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

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

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

John Steinbrink:

Thank you, Steve. Kris?

Kris Keckler:

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

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

Dave Klimisch:

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

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

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

John Steinbrink:

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

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

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



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

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

Rocco Vita:

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

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

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

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

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

John Steinbrink:

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

Steve Kumorkiewicz:

Thank you, John.

Michael Serpe:

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

Tom Shircel:

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

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

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

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

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

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

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

John Steinbrink:

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

Tom Shircel:

That's correct.

John Steinbrink:

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

Steve Kumorkiewicz:

It's an election year issue.

John Steinbrink:

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

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Voices:

Aye.

John Steinbrink:

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

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

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

Jean Werbie-Harris:

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

John Steinbrink:

Motion to take A and B together.

Kris Keckler:

So moved.

Dave Klimisch:

Second.

John Steinbrink:

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

Voices:

Aye.

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John Steinbrink:

Opposed? So carries.

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

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

Jean Werbie-Harris:

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

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

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

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

Steve Kumorkiewicz:

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

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Kris Keckler:

Second.

John Steinbrink:

Motion by Steve, second by Kris. Further discussion?

Dave Klimisch:

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

Jean Werbie-Harris:

Correct.

John Steinbrink:

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

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

Michael Serpe:

Move approval of 18-06.

Kris Keckler:

Second.

John Steinbrink:

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

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Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

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

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

Jean Werbie-Harris:

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

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

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

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

Kris Keckler:

Move approval of zoning text amendment Ordinance 18-07.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

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

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

Jean Werbie-Harris:

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



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

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

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

Dave Klimisch:

Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Dave, second by Steve. Further discussion?

Michael Serpe:

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

Jean Werbie-Harris:

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

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

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

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

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

John Steinbrink, Jr.:

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

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

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

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

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

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

Michael Serpe:

Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

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

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

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John Steinbrink, Jr.:

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

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

Kris Keckler:

So moved.

Dave Klimisch:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

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

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

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Chief Roepke:

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

Michael Serpe:

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

Chief Roepke:

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

Michael Serpe:

What's your avenue of disposal here?

Chief Roepke:

I'm sorry?

Michael Serpe:

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

Chief Roepke:

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

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

Michael Serpe:

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

Chief Roepke:

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

Dave Klimisch:

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

Chief Roepke:

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

John Steinbrink:

Was that Durango Tom Clark's?

Chief Roepke:

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

Michael Serpe:

Move approval of 18-04.

Steve Kumorkiewicz:

Second.

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John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

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

## **9. VILLAGE BOARD COMMENTS**

John Steinbrink:

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

Michael Serpe:

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

John Steinbrink:

No further comments we'll move on to --

Steve Kumorkiewicz:

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

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

Dave Klimisch:

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

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

Kris Keckler:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

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



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John Steinbrink:

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

**11. RETURN TO OPEN SESSION AND ADJOURNMENT**

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

**VILLAGE OF PLEASANT PRAIRIE  
PLEASANT PRAIRIE VILLAGE BOARD  
PLEASANT PRAIRIE WATER UTILITY  
PLEASANT PRAIRIE SEWER UTILITY  
9915 - 39th Avenue  
Pleasant Prairie, WI  
March 5, 2018  
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, March 5, 2018. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Steve Kumorkiewicz, Dave Klimisch and Mike Serpe. Kris Keckler was excused. Also present were Tom Shircel, Interim Village Administrator; Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Police Chief; Craig Roepke, Fire & Rescue Chief; Rocco Vita, Village Assessor; Matt Fineour, Village Engineer; John Steinbrink Jr., Public Works Director; Dan Honore', IT Director; Mary Jo Jiter, Communication Director; and Craig Anderson, Recreation Director; and Deputy Clerk Vesna Savic. Eight citizens attended the meeting.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. PRESENTATION**

**A. Wisconsin Law Enforcement Accreditation Group presentation to the Village of Pleasant Prairie Police Department.**

Russ Jack:

Russell Jack Chief of Police, Waukesha Police Department. Congratulations to your chief and the staff for the accomplishment. This is quite a process to go through and an excellent job by the accreditation manager, Deputy Chief Dan Riley who I found out tonight this is last time. Heather will be taking over shortly. She's happy about that honor, smiling back there. I do personally know how difficult it is to get accredited. My agency is accredited also, and we've been through it three times. So it's a lot of work for agency, but it's a lot of benefits for your Village and for my city and the rest of the agencies that are accredited.

They gave a long report. I won't share the whole report for you, but I'd like to give just a couple of the summary comments that they gave, that the assessment team. They come through and go through every single policy. And not only do you have to have a policy to cover every standard that there is, you have to have proof. You have to be able to prove you're doing it, not just say you're doing it. It's a very rigorous process, a three day onsite assessment.

And during that assessment the assessors drew several favorable conclusions about the Pleasant Prairie Police Department. First and foremost they said the police department is fortunate to have a highly dedicated proud and professional staff. Another one towards the conclusion said they were professional and presented a positive attitude. They extended excellent cooperation. And

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there was many more comments on there. I won't spend your whole meeting reading those. I probably could and praise the police department. I think you know how great a police department you have, and this is a sign of how great a police department you have lead by your Chief.

I would like to read the plaque here and then I'll present it to your Chief. The Pleasant Prairie Police Department has fully demonstrated its voluntary commitment to law enforcement excellence by its compliance to a body of standards deemed essential to protection of life, safety and rights of citizens it serves and has exemplified the best professional practices in the conduct of its responsibilities. And, therefore, it is hereby upon the recommendation of the members of the Governing Board of the Wisconsin Law Enforcement Accreditation Group award Certificate of Accreditation effective December 11, 2017 as recognized as a Wisconsin accredited law enforcement agency for a period of three years from that date. Congratulations to the department.

Chief Smetana:

Thank you to Chief Russ Jack who came all the way from Waukesha to present this tonight on behalf of WLEAG. This really just gives me an opportunity to highlight the outstanding work of two individuals on my department, Deputy Chief Dan Riley and Heather Rivera. When Dan came back from the National Academy one of the benefits of that type of training is sitting down and preparing and setting some goals and where you want to see your department head. And when Dan came back from that training this was his project. He set that goal, he set all the organization up to accomplish that goal, and that's exactly what they did. I was lucky enough that I got to watch most of it happen. So this is really a great credit to Dan, his loyalty to the department and to Heather for her professionalism in getting this done.

This project does not end here. As Chief Jack mentioned this is a reaccreditation process in three years. So every three years we'll be going through this again. So this is really the first step in moving towards that additional professionalism that every agency should look for. So thank you very much to Dan and Heather. They deserve the vast majority of the praise for this.

Michael Serpe:

Dave, believe me, this Board and the citizens of this Village know what you guys are doing and they definitely appreciate it and so do we. It's noticed. I mean you say the support you get from the Village people and from this Board, and definitely well deserved. Congratulations. Dan and Heather nice going.

Chief Smetana:

Thank you all very much.

Michael Serpe:

Thank you.

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John Steinbrink:

Okay, that concludes Item 4.

**5. Minutes of Meetings - Special Meeting Minutes of February 17, 2018 and February 22, 2018.**

Dave Klimisch:

Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KLIMISCH MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD SPECIAL MEETINGS OF THE FEBRUARY 17, 2018 AND FEBRUARY 22, 2018 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

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**6. CITIZEN COMMENTS**

Vesna Savic:

No signups.

John Steinbrink:

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

**7. ADMINISTRATOR'S REPORT**

Tom Shircel:

No report.

**8. NEW BUSINESS**

John Steinbrink:

Jean, do you want to take A, B and C together?

Jean Werbie-Harris:

Yes, please.

John Steinbrink:

Motion to take A, B and C together.

Dave Klimisch:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

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Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**KLIMISCH MOVED TO CONSIDER NEW BUSINESS ITEMS A-C AT THIS TIME; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

- A. Receive Plan Commission recommendation and consider Ordinance #18-08 for Comprehensive Plan Amendment as it relates to property generally located 10901 75th Street and vacant property to the west of said address for proposed expansion.**
- B. Receive Plan Commission recommendation and consider Ordinance #18-09 and #18-10 for a Zoning Map Amendment as it relates to property generally located 10901 75th Street and vacant property to the west of said address for proposed expansion.**
- C. Receive Plan Commission recommendation and consider a Certified Survey Map to it relates to property generally located 10901 75th Street and vacant property to the west of said address for proposed expansion.**

Jean Werbie-Harris:

Mr. President and members of the Board we have three requests this evening from Tim Lynch, PE of Lynch and Associates. And this is for the Lynch Chevrolet property in Pleasant Prairie located at 10901 75th Street in Pleasant Prairie. There are three items, the Comprehensive Plan Amendment, Ordinance 18-08, Zoning Map and Text Amendments, Ordinance 18-09 and 18-10, and Certified Survey Map. I'd like separate actions on them, and the Comprehensive Plan Amendment does require a roll call vote.

Specifically, the petitioner is requesting several approval. They recently purchased 1.3 acres of land to the west of their existing car facility. They are looking to expand their outdoor car display area for an additional 136 cars for the dealership. In addition, they're looking to expand an onsite stormwater retention basin in order to handle additional runoff from the entire site based on this new development. And then they're also looking to do some additional parking to the south of their existing facility. And this is for additional cars as well as for customers or for employees and other parking. And that would be 116 parking spaces to the south. And then immediately to the west of that they would be putting in an additional stormwater management basin at that location as well.

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We've been working with them off and on for it seems like about six months or so working on this project just because, as you know, that this is an area that does not have a lot of defined stormwater management features. And so any and all stormwater on the site needs to be handled, and it can't be released at a faster rate than it's leaving the site currently. So because of the impervious surfaces they are creating they did need to expand their stormwater basins. There were three wetlands on the property that were field delineated by an assured biologist. And one for sure is an artificial wetland that will be exempted. And we are working with the other two wetland areas as well with the Army Corps of Engineers.

As part of their additional project here, they are looking to have a certified survey map approved in order to combine all the properties into one parcel. They would be dedicating some additional stormwater management access drainage maintenance easements over these two additional expansion area basins. And as it came up at the last Plan Commission meeting they would also like to work with the Village to possibly vacate a cross-access easement that is running through the property. Our attorney at this point indicated that we would have to come back with a separate vacation document for that cross-access. As you can see it comes off of -- well, north is to the right, but it would come off of 109th Street, and then it goes through their property towards the north and then to the west. Again, this was put in initially when and before these properties were acquired by Lynch. And we needed to make sure that there would be direct access over to an adjacent public road.

The existing access point that is in front of that vacant property they just acquired is not a commercial access point. And so that access needs to be removed. And so it will be their development that runs through this entire property. So to have a cross-access emergency easement running through their property probably doesn't make sense at this point. But, again, they'll need to submit a vacation document to remove that from the CSM.

With respect to their access on Highway 50, as you know, that's really intended to be a temporary access. At such time that Highway 50 is widened to the six lanes then that access on Highway 50 will need to be removed pursuant to a DOT memorandum of understanding. And then their main access from the property will be from the east or from that 109th Avenue once that access road is constructed. With respect to the wetlands on the property, again, there were a couple of wetland areas, one south along 77th Street that will remain on the site. And then the stormwater basin that is declared as an artificial wetland and will receive an exemption.

With respect to the Comprehensive Plan Amendment, again, whenever we bring in or incorporate new areas into a development we want to amend the land use plan to make sure of a couple of things. First, to remove any urban reserve areas; two, to bring it in as part of this overall development and change the land use to reflect that commercial designation. And, third, to make sure that if there are any wetlands that are to remain that they're reflected on the Comprehensive Plan. And so that's the purpose of the Comprehensive Plan Amendment.

And then finally with respect to the third item that they are requesting, Zoning Map and Text Amendments, again, to incorporate this new land into the property we are looking to create a

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PUD or Planned Unit Development ordinance so that this new land as well is incorporated under the same comments, conditions and site plan approvals as the existing property. And then with respect to the field delineated wetlands they'll be placed into the C-1 PUD. And, again, that's at the southern end of the site. And this property is currently zoned residential area identified in red that will be brought into the B-2 Commercial District. And, again, the PUD will be placed over the property.

The Plan Commission held a public hearing to cover these matters at their last meeting. And the staff recommends approval subject to all the comments and conditions as outlined in the staff memorandum. The one thing that we do need to sit down with them and to work with the Police Chief and the IT Director on is expanding their DSIS system, Digital Security Imaging System, to make sure their camera system is well defined and can address all of these new areas that they're bringing into their site from a security camera perspective, and to make sure that these areas are well lit for that camera system. So with that the staff recommends approval of the three items that have been presented to you this evening. The Comprehensive Land Use Plan Amendments, the Zoning Map and Text Amendments and the Certified Survey Map all as presented subject to the comments and conditions as outlined in the staff memorandum.

Michael Serpe:

Jean, the gentleman that was here that was questioning all kinds of runoff and everything else, is this change going to affect him in any negative way at all?

Jean Werbie-Harris:

So I guess I'm going to turn that over to Matt to address it. But his name is Kyle Kennedy, and he's the one that has the long-term option on all of the land south. And his primary concern is he wants to make sure that there's no greater degree of runoff that's coming from this site that would inadvertently or directly feed the wetland areas on his property. He does not want these wetland areas to continue to grow on his property because obviously he'd like to develop for some purpose.

Michael Serpe:

I couldn't keep up with everything he was asking.

Jean Werbie-Harris:

He has a lot of things going on and a lot of things that he's been trying to work on for the last several years. He hasn't been overly successful with the DNR and the Army Corps of Engineers with respect to being able to get fill permits or the alternatives analysis. He just wants to make sure going forward that there aren't any additional issues or problems or drainage conditions that get created as a result of this development.



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Matt Fineour:

Just to follow up with what Jean said, no, the development doesn't negatively impact Kyle's property more than what is out there kind of today. The area that is draining toward the wetland will continue to drain towards the wetland. It will be detained at the detention pond. But there is a much, much larger area that drains through that are that has to be dealt with the wetlands. So the way this is developed takes the existing drainage into consideration, drainage patterns.

Michael Serpe:

Okay, thanks, Matt. I move approval of Ordinance 18-08.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion?

Dave Klimisch:

I have a question on the ponds. It said that three foot ponds aren't deep enough, and how are they going to be addressed? They said something about a dry pond or making them deeper.

Matt Fineour:

The existing pond -- or not the existing, the proposed pond that they're developing is kind of crunched there in the corner. So they're basically going to expand that out a little bit to get a deeper water depth. So normally ponds are about five feet deep. Once they get about three foot or a little bit shallower then aquatic vegetation will start growing all through it. So they're going to try to expand that a little bit better, get a little bit bigger water surface so that doesn't occur.

John Steinbrink:

Generally when these are properly engineered we usually benefit the neighbors and they see an improvement to the situation they've encountered. So these are all engineered improvements and they should do the job. Further discussion? Hearing none, those in favor? This was a roll call vote, I'm sorry.

Jean Werbie-Harris:

Roll call.

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**SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-08 FOR A COMPREHENSIVE PLAN AMENDMENT ON THE PROPERTY LOCATED AT 10901 75TH STREET AND VACANT PROPERTY TO THE WEST OF SAID ADDRESS FOR PROPOSED EXPANSION; SECONDED BY KUMORKIEWICZ; ROLL CALL VOTE – STEINBRINK – YES; KUMORKIEWICZ – YES; KLIMISCH – YES; SERPE – YES; MOTION CARRIED 4-0.**

Michael Serpe:

Move approval of Ordinance 18-09 and 18-10.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion on 18-09 or 18-10? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #18-09 AND 18-10 FOR A ZONING TEXT AMENDMENT AS IT RELATES TO THE PROPERTY LOCATED 10901 75TH STREET AND VACANT PROPERTY TO THE WEST OF SAID ADDRESS FOR PROPOSED EXPANSION; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

Dave Klimisch:

Move approval of the Certified Survey Map.

Michael Serpe:

Second.

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John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries. That completes Items A, B and C and congratulations gentlemen. And keep those tires clean now.

**KLIMISCH MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CERTIFIED SURVEY MAP FOR THE PROPERTY LOCATED AT 10901 75<sup>TH</sup> STREET AND VACANT PROPERTY TO THE WEST OF SAID ADDRESS FOR PROPOSED EXPANSION. ; SECONDED BY SERPE; MOTION CARRIED 4-0.**

**D. Receive Plan Commission recommendation and consider a Certified Survey Map to subdivide property located at 3840 107th Street into three parcels.**

Jean Werbie-Harris:

Mr. President and members of the Board, this is the request of David and Elizabeth Janz, and they are requesting a Certified Survey Map to subdivide their property into three parcels. Their primary parcel is located at 3840 107th Street. And their Tax Parcel is 92-4-122-252-0495. The property is currently zoned R-4, Urban Single Family Residential District, and all lots need to have a minimum of 90 feet of frontage at 15,000 square feet in area. Their property is located at that northeast corner of 107th Street and County Trunk Highway EZ or 39th Avenue in the Village.

Lot 1 is proposed to be 72,450 square feet with 229 feet of frontage on 107th Street and 316 feet of frontage on 39th Avenue. Lot 1 has an existing home with direct driveway access to 107th Street. No direct driveway access to the county is allowed. Lots 2 and 3 are proposed to both be 30,086 square feet with over 95 feet of frontage on 107th Street. Municipal sewer and water mains and their laterals are available to service the new lots on 107th Street.

Stormwater grading and drainage plans were reviewed and approved by the Village engineering department to handle the stormwater on these three lots. And dedicated public stormwater drainage, access and maintenance easements have also been dedicated to the Village. The petitioner will be responsible for installing the existing drainage swales along the north property lines in the easement areas. The grading work will be completed and inspected by the Village. The owners of all of the lots respectively will be responsible for maintaining their rear drainage swales, and specifically for the grading when the lots are developed pursuant to this grading plan.

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The proposed land division conforms with the minimum regulations of the R-4 zoning district, and it meets the land division and development control ordinance requirements of the Village. The Plan Commission at their last meeting recommended approval of the Certified Survey Map subject to the comments and conditions as outlined. And the staff also recommends approval as presented subject to those conditions.

Steve Kumorkiewicz:

I move to approve the Certified Survey Map.

Dave Klimisch:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE CERTIFIED SURVEY MAP TO SUBDIVIDE PROPERTY LOCATED AT 3840 107TH STREET INTO THREE PARCELS; SECONDED BY KLIMISCH; MOTION CARRIED 4-0.**

**E. Consider the Intergovernmental Agreement between the Town of Randall and the Village of Pleasant Prairie relating to the Village of Pleasant Prairie providing real and personal property assessment services for the years 2019 through 2024.**

Michael Serpe:

Can we do E, F and J, John?

John Steinbrink:

Well, they're separate agreements. So we can do them all if you'd like, Rocco.

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Rocco Vita:

That would be a good idea.

John Steinbrink:

Same terms.

Rocco Vita:

Slightly different.

John Steinbrink:

Motion to take E, F and G together.

Steve Kumorkiewicz:

So moved.

Dave Klimisch:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**KUMORKIEWICZ MOVED TO CONSIDER NEW BUSINESS ITEMS E - G AT THIS TIME; SECONDED BY KLIMISCH; MOTION CARRIED 4-0.**

- F. Consider the Intergovernmental Agreement between the Town of Brighton and the Village of Pleasant Prairie relating to the Village of Pleasant Prairie providing real and personal property assessment services for the years 2019 through 2025.**

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- G. Consider the Intergovernmental Agreement between the Village of Salem Lakes and the Village of Pleasant Prairie relating to the Village of Pleasant Prairie providing real and personal property assessment services for the years 2019 through 2024.**

**John Steinbrink:**

Different date on one of these, Rocco?

Rocco Vita:

That's correct.

John Steinbrink:

How come that one's different?

Rocco Vita:

For revaluation timing. Good evening, Rocco Vita, Village Assessor. As many of you are aware at one time Kenosha County was assessed using a county assessor office. After 23 years that office was disbanded during 1995. And all the communities had to then find another way to assess property. The City of Kenosha created their own office. Everybody else used contractors. The Village of Pleasant Prairie in a somewhat at the time novel approach worked together with a number of other communities in Kenosha County to put together a cost saving mechanism called the assessment consortium. So a group of communities came together and worked proactively to create a department in the Village of Pleasant Prairie of professional appraisers. And we then performed the assessment services for those communities in Kenosha County.

It's been very successful in reducing the overall cost of the service while still maintaining a very high quality of service. The people we use are from the county. They're knowledgeable of what creates value in the county. And we're able to leverage a group of people to perform the service for a number of communities.

Right now before you are the agreements for the Town of Randall, the Village of Salem Lakes which is a new community, the combination of the Village of Silver Lake and the Town of Salem Lakes which we had done in the past, and the town of Brighton. In the past when we had initially the Town of Wheaton, the Town of Brighton, the Town of Salem and the Town of Randall and the Village of Twin Lakes we looked at the amount of work that we needed to do on an annual basis, and how do we accomplish that considering the scope of what we needed to do and the staff we had. And based on parcel count and the request for revaluations we performed revaluations for Twin Lakes and Pleasant Prairie every two years on the even years. And then for the towns we performed revaluations for Wheaton, Brighton, Salem and Randall every two years on the odd years.

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Over time some communities left and we attained other communities so that prior to the merge of Salem and Silver Lake we were performing work for Brighton, Silver Lake, Salem and the Town of Randall. When it came time to look at the agreements I again decided how best to structure the revaluation process. And so right now we're going to put Salem Lakes reval in one year, Pleasant Prairie in another year. Salem Lakes with the combination of Silver Lake is almost the size of Pleasant Prairie, and then we have Brighton and then we have Randall. So when we put Pleasant Prairie and Brighton together and Randall and Salem Lakes together, we have a very even split of work and two communities every two years.

And in order to accomplish that I had to move Brighton from an agreement that said the revaluations that occur in the odd years to occurring in the even years. Because I don't want to be in a position -- the agreement indicates that the municipalities decide whether they want to continue being in the consortium one year ahead of the fact. So I don't want to be in a position for one of them to opt out of the consortium and then have us do a revaluation for them that final year. So simply said I just moved Brighton to be concurrent with Pleasant Prairie on a revaluation basis and structure at this time a seven year agreement. And the next time they're renewed they would be renewed on a six year agreement.

Under Wisconsin law 66.0301 intergovernmental agreements like this for services can be up to ten years long. Otherwise typically contracts for town are at a maximum of three years but because we're intergovernmental we can go ten years. The town and the municipalities still like our service. They still appreciate what we do. They have a lot of respect for my staff and for the product that we provide for them. Not every community now has opted to have a revaluation every year outside of Salem, Salem Lakes and Pleasant Prairie. The other communities have them on a somewhat less frequent basis, maybe instead of two years maybe every four years or six years depending on their market. That's it if you have any questions.

Dave Klimisch:

In the contract it talked about two hours per week in each of these municipalities. Is that what we're currently doing?

Rocco Vita:

That's correct. We have office hours for two hours each week in each of the municipalities.

Dave Klimisch:

Is that somebody from your staff that goes out there -- are they all on the same day?

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Rocco Vita:

No. For instance on Wednesdays in the afternoon I'm in the Town of Brighton. On Wednesdays Walter is in the Village of Salem Lake, and on Mondays he's in the Town of Randall. And a lot of time is spent here in Pleasant Prairie.

Dave Klimisch:

And do people from out there come here? Because I know we're open for them as well.

Rocco Vita:

They do occasionally. I think it's less frequent. They're meeting us more in the field or in the offices. And they're calling us more than actually coming into the office. With technology they don't have to come and see the record. We can email the record to them. We also provide the information to Kenosha County which publishes on their website that you see on their interactive mapping and their public information site the information that we contain. That gives them the opportunity to provide them the information without them coming here.

Michael Serpe:

Rocco, you and your staff have an excellent reputation as far as serving the people and assessing. And yesterday in the *Kenosha News* I got a little upset with the editorial page from a member of the Wisconsin Manufacturers Association. If you read that thing it put a thought in peoples' minds that maybe our assessors are not really honest people. And I took serious offense to that. And I'm thinking the Wisconsin Manufacturers Association are in the back pockets of the dark store problem feeding the very people that are supposed to represent us and they refuse to do so. So I took offence to that. I just want to let you know we don't look at you and your staff in the same way. And I hope there's an answer to that editorial coming, I really do.

Rocco Vita:

I appreciate your comments about my staff. And I will tell you that Wisconsin Manufacturing Commerce is feeling the pressure from municipalities through the state who want something changed. But like any group, especially the lawyers, they change the argument. The dark store initiative wasn't brought out by any assessor in Wisconsin. It was initiated by municipalities in the Fox Valley who had spent a lot of resources trying to enact economic development, and the property owners came and turned around and then wanted to reduce the assessed value to pay less in property tax after the communities spent a lot of money to get them in there.

They went to the municipalities and ask the municipalities to attempt to do something to address the Walgreens decision and the dark store method of valuing properties. It's difficult for Wisconsin Manufacturing Commerce to lash back at the municipalities because they're providing



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economic development. But it's very easy to lash out at assessors because nobody likes the municipal assessor. They're easy to vilify. And for the most part in Wisconsin you have a state that only has at best three dozen municipal assessors. Out of 1,852 communities almost every assessor is a contract service. And there's a very low level of efficiency -- well, maybe not efficiency but very low level of service in most of these communities.

So a lot of people have negative thoughts regarding their assessor because of regardless of who spends tax money, who collects the tax money. Every time somebody calls everybody in every village office sends them to the assessor. And the assessor is simply an appraiser. So you have an appraiser trying to defend the spending of others. You have the appraiser trying to defend a lot of decisions made by other people. But there is no other mechanism. You cannot call the school district. You cannot call the county. You can't call the vocational about the money they spend. You can go to their meetings but it's not very helpful. But you can call and you can rant at the assessor. Many, many people are always upset with the municipal assessor because that's where they believe the tax issue lies.

John Steinbrink:

Thank you, Rocco. And I think judging from the service the Village has received from you and your people these other communities should be very happy. Contract assessing doesn't give the same quality of service as the consortium gives to the communities. And as we've touched on the dark store and Walgreen issue it's a serious issue which is going to greatly affect a lot of communities. And you've been able to enlighten not only us but state officials and the League of Municipalities and others onto what it is, how to work with it, how it's going to affect us. And fortunately we maybe know too much.

And it's very disheartening when Madison refused to act on behalf of the citizens of the state and relies mostly leaning toward corporate at the expense of the taxpayers. But as a Village resident and I think all of us up here can say we're very pleased with the job you've done and continue to do. And it's going to be our job to inform the public and make sure they understand what's really going on out there. I mean a lot of this cheap talk from outside groups is not really honest. And when higher taxes come out to these folks to the residential and the small businesses we're able to say why. And hopefully get this resolved before that does hit. But with what we've been told lately it's going to be a long road and a long battle. So thank you.

Rocco Vita:

Thank you.

Michael Serpe:

I'd move approval of the agreement between the Village of Salem Lakes and the Village of Pleasant Prairie.

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Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

**SERPE MOVED TO APPROVE THE AGREEMENT BETWEEN THE VILLAGE OF SALEM LAKES AND VILLAGE OF PLEASANT PRAIRIE RELATING TO THE VILLAGE OF PLEASANT PRAIRIE PROVIDING REAL AND PERSONAL PROPERTY ASSESSMENT SERVICES FOR THE YEARS 2019 THROUGH 2024; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

Dave Klimisch:

Move approval of the agreement between the Village of Pleasant Prairie and the Town of Randall.

Michael Serpe:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Those opposed? Motion carries.

**KLIMISCH MOVED TO APPROVE THE AGREEMENT BETWEEN THE TOWN OF RANDALL WITH THE VILLAGE OF PLEASANT PRAIRIE RELATING TO THE VILLAGE OF PLEASANT PRAIRIE PROVIDING REAL AND PERSONAL PROPERTY ASSESSMENT SERVICES FOR THE YEARS 2019 THROUGH 2024; SECONDED BY SERPE; MOTION CARRIED 4-0.**

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Michael Serpe:

Move approval of the agreement between the Town of Brighton and the Village of Pleasant Prairie.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**SERPE MOVED TO APPROVE THE AGREEMENT BETWEEN THE TOWN OF BRIGHTON AND VILLAGE OF PLEASANT PRAIRIE RELATING TO THE VILLAGE OF PLEASANT PRAIRIE PROVIDING REAL AND PERSONAL PROPERTY ASSESSMENT SERVICES FOR THE YEARS 2019 THROUGH 2025; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

**H. Consider approval of Project Term Sheet with Riverview Group, LLC for Stateline 94 Corporate Park Project.**

Jean Werbie-Harris:

Mr. President and members of the Board, the Village staff and the developer are seeking a term sheet support and approval this evening. And this is specifically a term sheet for the Stateline 94 Corporate Park Development formerly known as the Riverview Corporate Park. The ownership of the land is to be developed under the control of the Riverview Group, LLC, and it is owned by Clayco-Venture One have an ownership interest in and are the managing partners of the Riverview Group, LLC.

The developer will be Clayco-Venture One Development Services, LLC. Venture One Real Estate, LLC, as you know, is a Chicago-based national commercial real estate company that acquires, develops, leases and manages industrial and office properties on its own behalf and on behalf of its investment partners. Venture One also provides real estate advisory services to

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buyers and sellers of investment properties and portfolios on a national market. The principals are utilizing their combined 80 years of real estate experience and personal relationships with owners, contractors and brokers to facilitate a team approach to meet their development and acquisition objectives. Clayco has been involved in the design build development of more than 5,000 acres of land and over 100 million square feet of commercial, industrial, residential, mixed use and hospitality product exceeding \$64 billion in value.

The project approach, Clayco-Venture One Development Services proposing to develop the property in three phases collectively planned at full build out to comprise up to 1,875,950 square feet of industrial facilities. Phase 1 is planned to include a single building on the southernmost parcel along County Highway ML. Phase 2 is currently planned to include two buildings on the middle parcel on the East Frontage Road. And Phase 3 is currently planned to include two buildings on the northernmost parcel off of 116th Avenue.

The sequencing of the phases and the configuration and the exact sizes of buildings could change depending on market conditions as the park continues to develop. For the purposes of our presentation this evening the build out schedule assumes a start of construction for Phase 1 in 2018 with subsequent buildings commencing approximately every 18 months thereafter and resulting in full build out in approximately 2023. The schedule could also shift slightly depending on market conditions. The sites are not currently served by utilities, and the surrounding road work network will need improvements to be able to accommodate the new buildings and to serve the needs of the occupants.

In addition, the land is currently farmland with fairly significant topography and drainage characteristics. So there will be substantial onsite grading and stormwater detention work required to create the buildable pads able to accommodate the individual structures, truck courts and parking lots. Collectively these infrastructure costs are proposed to be financed via a developer sponsored pay as you go or pay go TID whereby tax increments would be reimbursed back to the developer for the infrastructure costs over time.

Just going back briefly to the slide, this is the slide or the map that identifies the boundaries of the proposed TIF that we're looking to create. And this would be identified as TID #7. This is approximately 308 acres in area. So with that I'm going to turn it over to Kathy, and then she will continue with the term sheet details.

Kathy Goessl:

Okay, this project is located generally between 110th and 122nd Street and east of the frontage road in Pleasant Prairie. And as Jean said it is referred to as Stateline 94 Corporate Park. The project has five buildings which is phased in between 2018 and 2023. With the exception of a regional water line adjacent to the west side of Pleasant Prairie Premium Outlets and extending to the southern property line limit, the developer will pay all the improvements within TID District #7 in connection with the project as detailed in the table on page 2.

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So page 2 gives you the costs that we're looking at was submitted by the developer that we are recommending to be put into the TID. You have road improvements of a little over \$4.6 million. You have sanitary sewer of \$4.5 million. You have proposed offsite -- okay so we have special assessments totally \$1.7 million which is proposed improvement, the roundabout and the lift station assessments. We have water improvements of \$1.8 million which shows our contribution to the 16 inch regional line. And then we also have site work, grading and stormwater on the sites that will be built. This is a three phase project with most of the cost happening \$9.9 million in the Phase 1, and for the total project of almost \$20 million.

There's other funding sources which we will work with the developer to obtain these funds, but they're not guaranteed to be received, includes a county contribution for ML and also T grants totaling up to \$3 million depending on what type of industry goes into these buildings. A TID's life is normally 20 years with the extensions of three years, but the developer has agreed not to request an extension. So we're looking at just a 20 year TID. Usually you have 15 years to expend. We are offering and the developer has agreed to a ten year so they have until 2028 to occur the development costs to be reimbursed by the TID. So this is all developer funded.

On page number -- well, one of the exhibits in here shows the actual cash flow of the bonds showing the increments. It's Exhibit Number B. It shows the changes that are taking place, what we're expecting to be developed. And then the value of these and the year that we expect to collect that. So based on being all developer funding whatever comes in will go out for the next 20 years unless it pays off quicker than that. We also have an option in this term sheet that if at a certain point we want to buy them out so we're not paying the higher interest of 7 percent to the developer we can do that.

Based on not receiving any of those alternate revenue sources I talked about, the T grant and the ML contribution, if you look at the bottom of Exhibit B you're looking at revenue bonds still being \$16.9 million. This is very conservative. There's no inflationary into the tax rates that much. And there's also no revenue sources other than just us contributing the water main. So this is all on the developer. If things go well and they get additional revenue sources we might be able to cash out earlier. But right now it looks like 20 years on this project.

So Jean did all the building information, and we had the boundaries. This is step one of the whole TID creation process. We've been working with the developers for three months on this current funding source for them. This is an M-5 location, and they agreed to keep the M-5. And we're recommending approval of this term sheet so we can continue on creating TID #7 so that they can start construction hopefully this summer.

Jean Werbie-Harris:

We do have three representatives here for the developer. And I'm not sure if Jeff Raduechel or Kevin McKenna want to add anything in addition from the developer's perspective, but they're here in the audience as well if you have any additional questions for them as well.

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Michael Serpe:

When can we see grading start?

John Steinbrink:

Just give us your names and addresses for the record there.

Jeff Radeuchel:

Jeff Radeuchel with Venture One heading up development for the company. I actually live at 1316 40th Court, Kenosha.

Kevin McKenna:

I'm Kevin McKenna with Clayco. I'm one of the shareholders and the Executive Vice President. So to answer your question we are being aggressive, and everyone in the Village has been fabulous to work with for the last three months. Because we feel we have three real opportunities in this park. Two of them can start this year, and they are M-5 manufacturing, good businesses to bring here. We can't really say who they are right now because they're under all kinds of different code names. But I will tell you that we feel pretty comfortable with one of them if we get this going. And we'll be grading in the summer.

Michael Serpe:

Looking forward to it.

Kevin McKenna:

Yes, us too. It's been a pleasant four years, but we appreciate all the help.

John Steinbrink:

Any other questions for the gentlemen? If not, thank you.

Kevin McKenna:

Thank you.

Dave Klimisch:

Move approval of the project term sheet with Riverview Group.

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Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**KLIMISCH MOVED TO APPROVE THE PROJECT TERM SHEET WITH RIVERVIEW GROUP, LLC FOR STATELINE 94 CORPORATE PARK PROJECT; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

**I. Consider the Beverly Woods Storm Water Improvements Design Services Agreement.**

Matt Fineour:

Mr. President and members of the Board, this is a professional design service agreement with Cedar Corporation out of Cedarburg for looking into the Beverly Woods stormwater improvements area. The service agreement is to provide surveying, drainage analysis and design and preparation of construction documents for any stormwater improvements that are needed in the Beverly Woods Subdivision. As you may recall, there was a petition to repave the roads in Beverly Woods, and this would be kind of one of the first steps that need to occur before the roads are repaved. It's to go through, take a look at the subdivision. We do know that there is one storm sewer line that needs to be built through there. It was actually previously preliminary designed back in the early 2000s. As well we'll go off and take a look at all the other ditches and existing storm sewers that are out there to see if they need to be replaced, if they need new lines to them or if ditches need to be reditched.

This service agreement is for time and materials up to \$40,000. We recommend approval. Once the contract is approved Village staff plans to go out to the subdivision, start looking at it since the snow is melted, get an idea of what areas need to be surveyed and go from there as far as designing the stormwater improvements.

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Michael Serpe:

Matt, is that going to be an assessable project from the entire area?

Matt Fineour:

The assessment of the area I guess I'm going to leave that as to be discussed. There are existing storm sewers out there. So depending on what the improvements end up being we'll dictate I guess what kind of assessments are levied.

Michael Serpe:

Have we got a commitment from the City on water line replacements yet?

Matt Fineour:

I'll leave that to John to answer. He's been coordinating with the City on that.

John Steinbrink, Jr.:

John Steinbrink, Director of Public Works. I talked with Ed St. Peter the Director of Water over at City of Kenosha. And he did give me a commitment to the same year that we pave in the spring or that early winter they will relay the water mains, and we'll come right them and pave. Very similar to what we did in Midwest Highlands this past year and it worked out very well. So we do have a commitment from the City of Kenosha to take care of the water issues the same year we do the paving so the water will happen. And I don't have a year yet when it's going to happen. The water has to get redone. The sewer has to get relined. The storm sewer has to get completed it. So there will be some duration in time before it all gets completed. But it is all on track to be done.

Michael Serpe:

Within five years, John?

John Steinbrink, Jr.:

I would say that that's a safe assumption.

Dave Klimisch:

On the map there's an existing dry detention facility south of 85th. Is that where everything currently drains?



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Matt Fineour:

That's correct. Beverly Woods will be draining to that existing dry detention facility. The storm sewers drain there. And you may recall on the map I mean it's got the individual's name, but the Bucko residents actually live out there. The new storm sewer would be extended out there to fix that issue as well.

Dave Klimisch:

Then when there's a water event how does that dry detention facility drain out? Is there a --

Matt Fineour:

There are storm sewers or call it outlet pipes for the basin. So it's only dry in the sense that when water comes in it will fill up, get wet, but then it dries dry. There is no wet pool, water pool in the bottom of the pond.

Michael Serpe:

I'd move approval of the design services.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**SERPE MOVED TO THE BEVERLY WOODS STORM WATER IMPROVEMENTS DESIGN SERVICES AGREEMENT; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

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**9. VILLAGE BOARD COMMENTS**

Dave Klimisch:

I want to follow up on the law enforcement accreditation group. I talked to residents and officers in the surrounding communities, and they keep talking about the Pleasant Prairie Police Department. And the standard that we set, the policies that are in place that keep the officers and staff safe, policies that keep the citizens safe are the envy of people I've talked to in neighboring areas. The one thing that keeps coming up is the voluntary neighborhood cameras. People can opt in if they want. Whenever I explain that to people it's such a seemingly simple thing, but it's innovative and it works because of the good nature, the good relationship that the police department has with our community. So I'm not sure if that specific initiative was in the approval or in the [inaudible] that you're in, but that's paying dividends everywhere. And I'm always encouraging other communities to do it. They don't always get it done because they don't have the forward way of thinking that you and your team have put together. So kudos on that.

John Steinbrink:

Further Board comments?

**10. ADJOURNMENT**

Michael Serpe:

Could we adjourn? Make a motion to adjourn.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

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**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY  
KUMORKIEWICZ; MOTION CARRIED 4-0 AND MEETING ADJOURNED AT 7:05  
P.M.**

**VILLAGE OF PLEASANT PRAIRIE  
PLEASANT PRAIRIE VILLAGE BOARD  
PLEASANT PRAIRIE WATER UTILITY  
PLEASANT PRAIRIE SEWER UTILITY  
9915 - 39th Avenue  
Pleasant Prairie, WI  
Special Meeting  
March 5, 2018  
5:15 p.m.**

A special meeting of the Pleasant Prairie Village Board was held on Monday, March 5, 2018. Meeting called to order at 5:15 p.m. Present were Village Board members John Steinbrink, Steve Kumorkiewicz, and Mike Serpe. Dave Klimisch arrived at 5:45 p.m. Kris Keckler was excused. Also present were Thomas Shircel, Interim Village Administrator, Jean Werbie-Harris, Community Development Director, Matt Fineour, Village Engineer, Kathy Goessl, Finance Director and Michael R. Pollocoff, in coming Village Board member and Deputy Clerk, Vesna Savic.

1. **CALL TO ORDER**
  
2. **ENTER INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1) (E) FOR DELIBERATING OR NEGOTIATING THE PURCHASING OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION.**

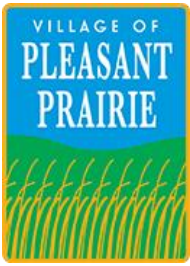
**SERPE MOVED TO ENTER INTO EXECUTIVE SESSION; SECONDED BY KUMORKIEWICZ; ROLL CALL VOTE – STEINBRINK – AYE; KUMORKIEWICZ – AYE; SERPE – AYE; MOTION CARRIED 3-0.**

John Steinbrink:

The Board will return to open session for the purpose of adjournment only.

3. **RETURN TO OPEN SESSION AND ADJOURNMENT.**

After discussion, **SERPE MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY KLIMISCH; ROLL CALL VOTE – KUMORKIEWICZ – AYE; KLIMISCH – AYE; SERPE – AYE; MOTION CARRIED 4-0 AND MEETING ADJOURNED AT 6:00 P.M.**



**To:** Thomas Shircel, Interim Village Administrator and Members of the Village Board  
**From:** John Steinbrink Jr., Director of Public Works  
**Subject:** Draw Request No. 7 Fountain Ridge LLC  
**Date:** March 19, 2018

The Village has conducted a review of the draw request for Public Improvements in Fountain Ridge and recommends approval based on consideration of the following:

- Current posted security and estimated costs of work remaining
- Work Completed to date and conformance to plans and specifications
- Inspection reports/Engineer's report and field visits by Village of Pleasant Prairie staff
- Payments made to subcontractors for work performed (Lien Waivers Provided)

Village Construction Inspection staff has reviewed the request and based on recent inspection of the site and the construction observation reports, I am recommending payment as follows:

Approved work this request:	\$284,521.19
Less Retainage (15%):	\$42,678.18
Approved Public Improvements:	\$241,843.01

**Supplemental Security for Improvements:**

Bain Station Sidewalk, incomplete, not in LOC	\$54,099.13
Retention on Wind Lake Grading	\$975.00
Retention on CO#1	\$13,132.12
Retention on CO#2	\$5,484.38

**Net Disbursement: \$168,152.38**

Please find the attached exhibits supporting the draw request No. 7.

- Exhibit A - Draw Request No. 7 from the Developer/Owner
- Exhibit B – Lexington Homes Letter of Credit breakdown, spreadsheet itemizing work completed, estimated work remaining and applicable retainage
- Exhibit C - Lien Waivers for subject work
- Exhibit D - Funds Release Authorization Form
- Exhibit E - Completed Street Tree Installation and completed CTH H By-Pass Lane
- Exhibit F - Bain Station Road Sidewalk Plan and Construction Estimate

- Exhibit G - Stark Pavement Corp. Change Order # 1 and # 2 Breakdown

Based on the review of the criteria, the proposed improvements meet the requirements of the Village and a draw request is warranted.

Village staff recommends the release of draw request No. 7 to Chicago Title via the Funds Release Authorization Form for disbursement of funds to Fountain Ridge, LLC.

Fountain Ridge Street

		Budget	Draw 1 1/31/2017	Draw 2 02/28/17	Draw 3 03/31/17	Draw 4 04/30/17	Draw 5 06/30/17	Draw 6 07/30/17	Draw 7 07/31/17 <i>Final</i>	Paid to Date	Balance Due to Budget
50-400	Engineering & Surveying	\$ 75,000.00	\$ 12,505.15	\$ -	\$ -	\$ 15,378.06		\$ 9,763.25	\$ 37,353.54	\$ 75,000.00	\$ -
80-100	Electric/Gas/Telephone/Cable	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	\$ -
60-800	Blueprint Copies	\$ 500.00	\$ 155.82	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 344.18	\$ 500.00	\$ -
70-100	Street Construction/Excavation	\$ 129,244.00	\$ -	\$ -	\$ -	\$ -	\$ 87,960.00	\$ -	\$ 41,284.00	\$ 129,244.00	\$ -
80-150	Sanitary Sewer	\$ 214,790.00	\$ 119,141.75	\$ 95,648.25	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 214,790.00	\$ -
80-150	Storm Sewer	\$ 72,250.00	\$ -	\$ -	\$ -	\$ 72,250.00	\$ -	\$ -	\$ -	\$ 72,250.00	\$ -
80-150	Watermain	\$ 171,960.00	\$ -	\$ 13,040.00	\$ 157,270.00	\$ 1,650.00	\$ -	\$ -	\$ -	\$ 171,960.00	\$ -
90-100	Asphalt Pavement	\$ 31,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 31,500.00	\$ 31,500.00	\$ -
90-125	Concrete Curb & Gutter, sidewalk and concrete pavement	\$ 232,375.00	\$ -	\$ -	\$ -	\$ -	\$ 91,456.00	\$ -	\$ 140,919.00	\$ 232,375.00	\$ -
90-175	Streetscape Type II, Ornamental Lighting	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	\$ -
90-275	3" Diameter Street Trees	\$ 24,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,000.00	\$ 24,000.00	\$ -
60-999	(Village of Pleasant Prairie) General Contracting Fee	\$ 150,904.00	\$ -	\$ -	\$ 10,673.75	\$ 14,225.50	\$ -	\$ 17,615.00	\$ 78,943.16	\$ 121,457.41	\$ 29,446.59
60-900	Contingency	\$ 48,831.00	\$ -	\$ -	\$ -	\$ -	\$ 34,713.00	\$ 40,648.67	\$ -	\$ 75,361.67	\$ (26,530.67)
<b>Total Held in Escrow</b>		<b>\$ 1,173,438.08</b>	<b>\$ 131,802.72</b>	<b>\$ 108,688.25</b>	<b>\$ 167,943.75</b>	<b>\$ 103,503.56</b>	<b>\$ 229,129.00</b>	<b>\$ 68,026.92</b>	<b>\$ 364,343.88</b>	<b>\$ 1,173,438.08</b>	<b>\$ -</b>
<b>15% Hold Back</b>		<b>\$ 176,015.71</b>	<b>\$ 19,770.41</b>	<b>\$ 16,303.24</b>	<b>\$ 25,191.56</b>	<b>\$ 15,525.53</b>	<b>\$ 34,369.35</b>	<b>\$ 10,204.04</b>	<b>\$ 54,651.58</b>	<b>\$ 176,015.71</b>	<b>\$ -</b>
<b>Disbursed Amount</b>		<b>\$ 997,422.37</b>	<b>\$ 112,032.31</b>	<b>\$ 92,385.01</b>	<b>\$ 142,752.19</b>	<b>\$ 87,978.03</b>	<b>\$ 194,759.65</b>	<b>\$ 57,822.88</b>	<b>\$ 309,692.30</b>	<b>\$ 997,422.37</b>	<b>\$ -</b>

EXHIBIT A



*Building Neighborhoods One Home at a Time*

**Fountain Ridge - Pleasant Prairie  
90th Avenue & 83rd Street Utility & Street Construction  
Summary of Work**

Sanitary Sewer, Water Main & Storm Sewer	\$	459,000.00
Asphalt Work	\$	31,500.00
Concrete work w/sidewalks	\$	232,375.00
Street Construction Work	\$	129,244.00
Street Trees w/Installation	\$	24,000.00
Lighting	\$	40,000.00
Street Signage (by VOPP)	\$	1,500.00
Televising (final inspection VOPP)	\$	10,000.00
CONSTRUCTION TOTAL	\$	927,619.00
CONTINGENCY	10% \$	92,761.90
ESTIMATED CONSTRUCTION TOTAL	\$	1,020,380.90
CONSTRUCTION MANAGEMENT/INSPECTIONS	15% \$	153,057.14
ESTIMATED PROJECT TOTAL (LETTER OF CREDIT AMOUNT NEE	\$	1,173,438.04



**EXHIBIT B**

Fountain Ridge  
Letter of Credit Reduction Worksheet  
Pleasant Prairie, WI

3/2/2018

SUMMARY	
	ORIGINAL SECURITY AMOUNT \$1,173,438.04
	REDUCTIONS TO-DATE INCLUDING THIS REDUCTION \$855,882.45
	<b>THIS REDUCTION (NET) \$168,152.38</b>
	CURRENT BALANCE AFTER THIS REDUCTION \$317,555.59
	MIN SECURITY PER AGREEMENT (min. 10% thru warranty, incl. CO) \$117,343.80
	Developer's Requested Reduction Amount \$309,692.30

Item	STATUS	Original Cost Estimate	#1 1/31/17	#2 2/28/17	#3 3/3/17	#4 5/15/17	#5 8/7/17	#6 9/18/17	#7 THIS REQUEST	REDUCTIONS TO-DATE	BALANCE
Sanitary Sewer, Water Main and Storm Sewer	COMPLETE	\$459,000.00	\$119,141.75	\$108,688.25	\$157,270.00	\$73,900.00	\$0.00	\$0.00	\$0.00	\$459,000.00	\$0.00
Asphalt Work	COMPLETE	\$31,500.00							\$31,500.00	\$31,500.00	\$0.00
Concrete Work with Sidewalks	COMPLETE	\$232,375.00					\$91,456.00		\$140,919.00	\$232,375.00	\$0.00
Street Construction Work	COMPLETE	\$129,244.00					\$87,960.00		\$41,284.00	\$129,244.00	\$0.00
Street Trees	COMPLETE	\$24,000.00							\$24,000.00	\$24,000.00	\$0.00
Lighting**	COMPLETE	\$40,000.00					\$15,000.00	\$10,648.67	\$14,351.33	\$40,000.00	\$0.00
Street signage - Village of Pleasant Prairie	NOT PAID	\$1,500.00							\$0.00	\$0.00	\$1,500.00
Televising	PARTIAL	\$10,000.00							\$0.00	\$0.00	\$10,000.00
Contingency*	EXHAUSTED	\$92,761.90	\$12,660.97			\$15,378.06	\$23,590.00	\$39,763.25	\$1,369.62	\$92,761.90	\$0.00
Village Inspection and Construction Services	PARTIAL	\$153,057.14			\$10,673.75	\$14,225.50	\$11,123.00	\$17,615.00	\$31,097.24	\$84,734.49	\$68,322.65
<b>TOTAL BEFORE RETENTION</b>		<b>\$1,173,438.04</b>	<b>\$131,802.72</b>	<b>\$108,688.25</b>	<b>\$167,943.75</b>	<b>\$103,503.56</b>	<b>\$229,129.00</b>	<b>\$68,026.92</b>	<b>\$284,521.19</b>	<b>\$1,093,615.39</b>	<b>\$79,822.65</b>
		<b>ORIG. SECURITY</b>									
MOVE ALL ITEMS IN THIS SECTION TO CONTINGENCY (ABOVE)											
Engineering and Surveying			\$12,505.15						\$37,353.54		
Blueprints/copies			\$155.82						\$344.18		
Misc. Lansdscaping/Repairs						\$15,378.06					
* The above section applied to contingency until contngency exhausted (Application #7)			\$12,660.97	\$0.00	\$0.00	\$15,378.06	\$0.00	\$0.00			
** Release Streetlighting unused in draw 7											

DISBURSEMENT/REDUCTION		#1 1/31/17	#2 2/28/17	#3 3/3/17	#4 5/15/17	#5 8/7/17	#6 9/18/17	#7 THIS REQUEST	REDUCTIONS TO-DATE	BALANCE	
TOTAL		\$1,173,438.04	\$131,802.72	\$108,688.25	\$167,943.75	\$103,503.56	\$229,129.00	\$68,026.92	\$284,521.19	\$1,093,615.39	\$79,822.65
RETENTION (COVERED IMPROVEMENTS)	15%		\$ (19,770.41)	\$ (16,303.24)	\$ (25,191.56)	\$ (15,525.53)	\$ (34,369.35)	\$ (10,204.04)	\$ (42,678.18)	\$ (164,042.31)	\$164,042.31
<b>NET BEFORE ADJUSTMENTS</b>			<b>\$112,032.31</b>	<b>\$92,385.01</b>	<b>\$142,752.19</b>	<b>\$87,978.03</b>	<b>\$194,759.65</b>	<b>\$57,822.88</b>	<b>\$241,843.01</b>	<b>\$929,573.08</b>	<b>\$243,864.96</b>
<b>ADJUSTMENTS (SUPPLEMENT)</b>											
COST EST	Bain Sta. Offsite Sidewalk Improvements incomplete not in orig. proj. security***	\$54,099.13							(\$54,099.13)	(\$54,099.13)	\$54,099.13
"H"	RETENTION Wind Lake Grading (H Stone)	\$6,500.00							(\$975.00)	(\$975.00)	\$975.00
CO1	RETENTION Add Offsite Roadway Improvements ("H", \$87,547.47)**	\$87,547.47							(\$13,132.12)	(\$13,132.12)	\$13,132.12
CO2	RETENTION Add Offsite Roadway Improvements ("H" \$36,562.53)**	\$36,562.53							(\$5,484.38)	(\$5,484.38)	\$5,484.38
<b>NET DISBURSEMENT AFTER ADJUSTMENT</b>		<b>\$1,358,147.17</b>	<b>\$112,032.31</b>	<b>\$92,385.01</b>	<b>\$142,752.19</b>	<b>\$87,978.03</b>	<b>\$194,759.65</b>	<b>\$57,822.88</b>	<b>\$168,152.38</b>	<b>\$855,882.45</b>	<b>\$317,555.59</b>

\*\*County "H" Improvement Stark Costs (CO#1, CO#2)

\*\*\*Commitment not completed by Developer, Estimate for Cash to hold for work remaining. See Plan Exhibit.



*Building Neighborhoods One Home at a Time*

**WAIVER OF LIEN**

**Work Location: Fountain Ridge Public Roadway  
Pleasant Prairie, WI**

**Area of Work: Site Surveying**

**Amount: \$1487.50**

**Invoice: 401341017**

**Paid with Check #: 118125**

**December 15, 2017**

**FOR VALUE RECEIVED WE HEREBY WAIVE ALL RIGHTS AND CLAIMS FOR LIEN ON LAND AND ON BUILDINGS AND FOR ALL LABOR PERFORMED AND FOR ALL MATERIAL FURNISHED FOR THE ERECTION, CONSTRUCTION, ALTERATION, OR REPAIR OF SAID BUILDING AND APPURTENANCES.**

**Authorized Signature:** Kamal Singh

**Contractor: K Singh & Associates, Inc.**

**Date: 12-18-2017**

REC'D DEC 16 2017



*Building Neighborhoods One Home at a Time*

**WAIVER OF LIEN**

**Work Location: Fountain Ridge Public Roadway  
Pleasant Prairie, WI**

**Area of Work: Excavation/Asphalt Application**

**Amount: \$298,250.47**

**Invoice: Application 2**

**Paid with Check #: 118155**

**December 06, 2017**

**FOR VALUE RECEIVED WE HEREBY WAIVE ALL RIGHTS AND CLAIMS FOR LIEN ON LAND AND ON BUILDINGS AND FOR ALL LABOR PERFORMED AND FOR ALL MATERIAL FURNISHED FOR THE ERECTION, CONSTRUCTION, ALTERATION, OR REPAIR OF SAID BUILDING AND APPURTENANCES.**

**Authorized Signature:** 

**Contractor: Stark Pavement Corporation**

**Date: 12-14-17**



*Building Neighborhoods One Home at a Time*

**WAIVER OF LIEN**

**Work Location: Fountain Ridge Public Roadway  
Pleasant Prairie, WI**

**Area of Work: Landscaping/Trees**

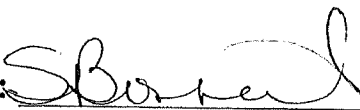
**Amount: \$6500**

**Invoice: 2319**

**Paid with Check #: 118005**

**November 15, 2017**

**FOR VALUE RECEIVED WE HEREBY WAIVE ALL RIGHTS AND CLAIMS FOR LIEN ON LAND AND ON BUILDINGS AND FOR ALL LABOR PERFORMED AND FOR ALL MATERIAL FURNISHED FOR THE ERECTION, CONSTRUCTION, ALTERATION, OR REPAIR OF SAID BUILDING AND APPURTENANCES.**

**Authorized Signature:** 

**Contractor: Wind Lake Grading & Landscaping, Inc.**

**Date:** 12-15-17



*Building Neighborhoods One Home at a Time*

**WAIVER OF LIEN**

**Work Location: Fountain Ridge Public Roadway  
Pleasant Prairie, WI**

**Area of Work: Landscaping/Trees**

**Amount: \$41,782.62**

**Invoice: 3631,3632,3633,3636  
3638,S202791,S202846**

**Paid with Check #: 117723**

**October 11, 2017**

**FOR VALUE RECEIVED WE HEREBY WAIVE ALL RIGHTS AND CLAIMS FOR LIEN ON LAND AND ON BUILDINGS AND FOR ALL LABOR PERFORMED AND FOR ALL MATERIAL FURNISHED FOR THE ERECTION, CONSTRUCTION, ALTERATION, OR REPAIR OF SAID BUILDING AND APPURTENANCES.**

**Authorized Signature:** *Sybil Wolf*

**Contractor: Kenosha Grounds Care**

**Date:** *12/14/17*

**FINAL WAIVER OF LIEN**

**EXHIBIT C**

STATE OF WISCONSIN  
COUNTY OF KENOSHA

TO WHOM IT MAY CONCERN:

WHEREAS the undersigned has been employed by Lexington homes 1300 N.Kimps Ct. GreenBay, WI 54313

To furnish: **Street Trees x 48**  
**(12) Autumn Blaze Maple**  
**(12) Sugar Maple**  
**(12) Red Oak**  
**(12) Redmond Linden**

for the premises known as Fountain Ridge 90<sup>th</sup> avenue & 83<sup>rd</sup> street of which Lexington Homes is the owner.

THE undersigned, for and in consideration of twenty four thousand dollars, (\$24,000.00) Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, do(es) hereby waive and release any and all lien or claim of, or right to, lien relating to mechanics' liens, with respect to and on said above-described premises, and the improvements thereon, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other considerations due or to become due from the owner, on accounts of all labor, services, material, fixtures, apparatus or machinery, heretofore furnished, or which may be furnished at any time hereafter, by the undersigned for the above-described premises.

DATE: 09/29/2017      COMPANY NAME: KENOSHA GROUNDS CARE I, LLC  
ADDRESS: 8300 88<sup>TH</sup> AVENUE, PLEASANT PRAIRIE, WI 53158

SIGNATURE AND TITLE Lynn Wolf      Construction Estimator

**CONTRACTOR'S AFFIDAVIT**

STATE OF WISCONSIN  
COUNTY OF KENOSHA

TO WHOM IT MAY CONCERN:

THE UNDERSIGNED, Lynn Wolf, BEING DULY SWORN, DEPOSES AND SAYS THAT HE OR SHE IS Construction Estimator OF Kenosha Grounds Care I, LLC WHO IS THE CONTRACTOR FURNISHING: Street Trees x 48

**(12) Autumn Blaze Maple**  
**(12) Sugar Maple**  
**(12) Red Oak**  
**(12) Redmond Linden**

WORK ON THE BUILDING LOCATED AT 83<sup>rd</sup> street and Hwy H, Pleasant Prairie, WI 53158 OWNED BY Lexington Homes, That the total amount of contract is Twenty Four Thousand Dollars and No Cents, (\$24,000.00) Dollars, on which he or she has received payment of \$0.00 (Zero), prior to this payment. That all waivers are true, correct and genuine and delivered unconditionally and that there is no claim either legal or equitable to defeat the validity of said waivers. That the following are the names and addresses of all parties who have furnished material or labor, or both, for said work and all parties having contracts or sub contracts for specific portions of said work or for material entering into the construction thereof and the amount due or to become due to each, and that the items mentioned included all labor and material required to complete said work according to plans and specifications:

NAMES AND ADDRESSES	WHAT FOR	CONTRACT PRICE INCLDG EXTRAS	AMOUNT PAID	THIS PAYMENT	BALANCE DUE
All materials were taken from fully paid for stock and delivered to job site in company owned vehicles. All labor and fringes have been fully paid.	Invoice 3636	\$24,000.00	\$0.00	\$24,000.00	\$0.00

That there are no other contracts for said work outstanding, and that there is nothing due or to become due to any person for material, labor or other work of any kind done or to be done upon or in connection with said work other than above stated.

DATE 9/29/2017      SIGNATURE: Lynn Wolf

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29<sup>th</sup> DAY OF September

Merica Hammond  
NOTARY PUBLIC  
MERICA HAMMOND  
Notary Public, State of Wisconsin  
Expires 2/14/2021



*Building Neighborhoods One Home at a Time*

**WAIVER OF LIEN**

**Work Location: Fountain Ridge Public Roadway  
Pleasant Prairie, WI**

**Area of Work: Permits/Inspections**

**Amount: \$18,049.24**

**Invoice: 20170322,20170399,  
20170519**

**Paid with Check #: 34826  
117724**

**September 06, 2017  
October 11, 2017**

*#627.24  
#17,442. —*

**FOR VALUE RECEIVED WE HEREBY WAIVE ALL RIGHTS AND CLAIMS FOR LIEN ON LAND AND ON BUILDINGS AND FOR ALL LABOR PERFORMED AND FOR ALL MATERIAL FURNISHED FOR THE ERECTION, CONSTRUCTION, ALTERATION, OR REPAIR OF SAID BUILDING AND APPURTENANCES.**

**Authorized Signature: \_\_\_\_\_**

**Contractor: Village of Pleasant Prairie**

**Date:**



*Building Neighborhoods One Home at a Time*

**WAIVER OF LIEN**

**Work Location: Fountain Ridge Public Roadway  
Pleasant Prairie, WI**

**Area of Work: Sewer-Water-Storm Laterals**

**Amount: \$44,468.22**

**Invoice: 516A**

**Paid with Check #: 117999**

**November 15, 2017**

**FOR VALUE RECEIVED WE HEREBY WAIVE ALL RIGHTS AND CLAIMS FOR LIEN ON LAND AND ON BUILDINGS AND FOR ALL LABOR PERFORMED AND FOR ALL MATERIAL FURNISHED FOR THE ERECTION, CONSTRUCTION, ALTERATION, OR REPAIR OF SAID BUILDING AND APPURTENANCES.**

**Authorized Signature:** \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Jesse Jossart", is written over a horizontal line.

Jesse Jossart

**Contractor: Jossart Brothers Incorporated**

**Date: 1/8/18**





Village of Pleasant Prairie

## EXHIBIT D

March 19, 2018

Chicago Title  
Attn: Robert Thomson  
20825 Swenson Drive, Suite 200  
Waukesha, WI 53186

### **Funds Release Authorization Form**

Re: Draw Request No. 7 for 90<sup>th</sup> Avenue and 83<sup>rd</sup> Street-Fountain Ridge Public Improvements

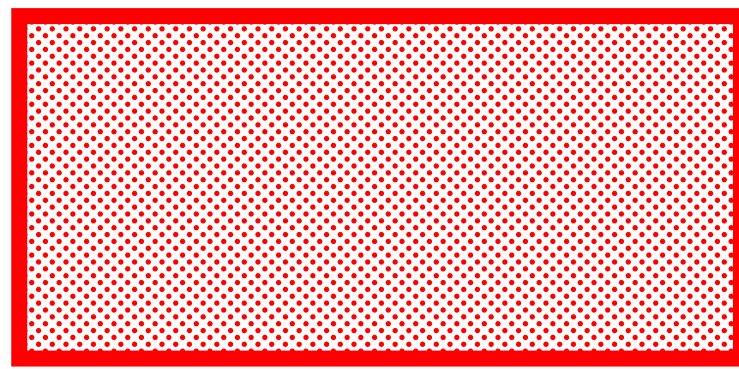
Applicant: Fountain Ridge, LLC

Dear Mr. Thomson:

On March 19, 2018 the Village Board authorized draw request No. 7 for the 90<sup>th</sup> Avenue and 83<sup>rd</sup> Street Utility and Street Construction Project, also known as Fountain Ridge – Public Improvements, in the amount of \$168,152.38. The Disbursement Request received on January 8, 2018 is approved and the funds can be disbursed in accordance with the request.

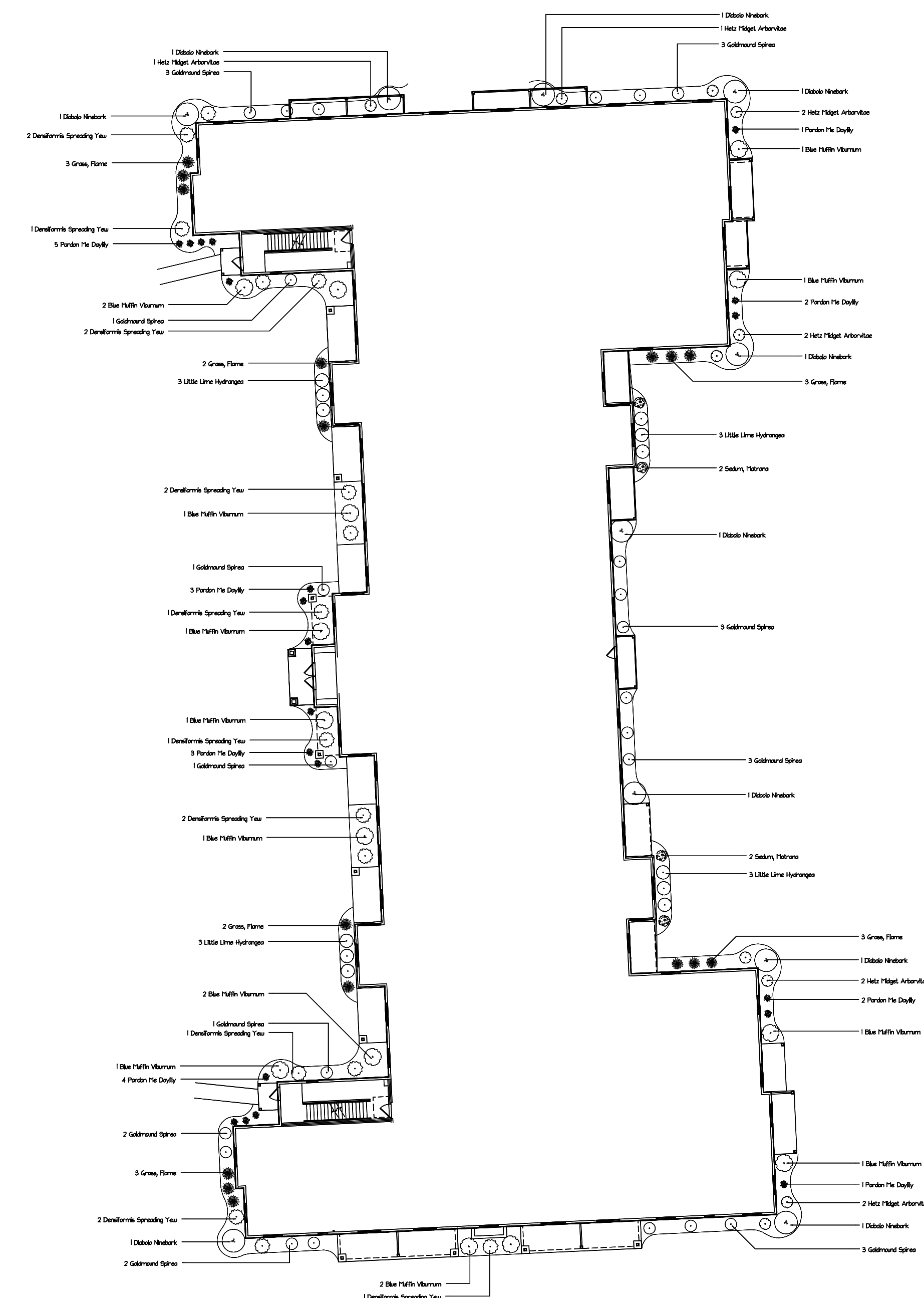
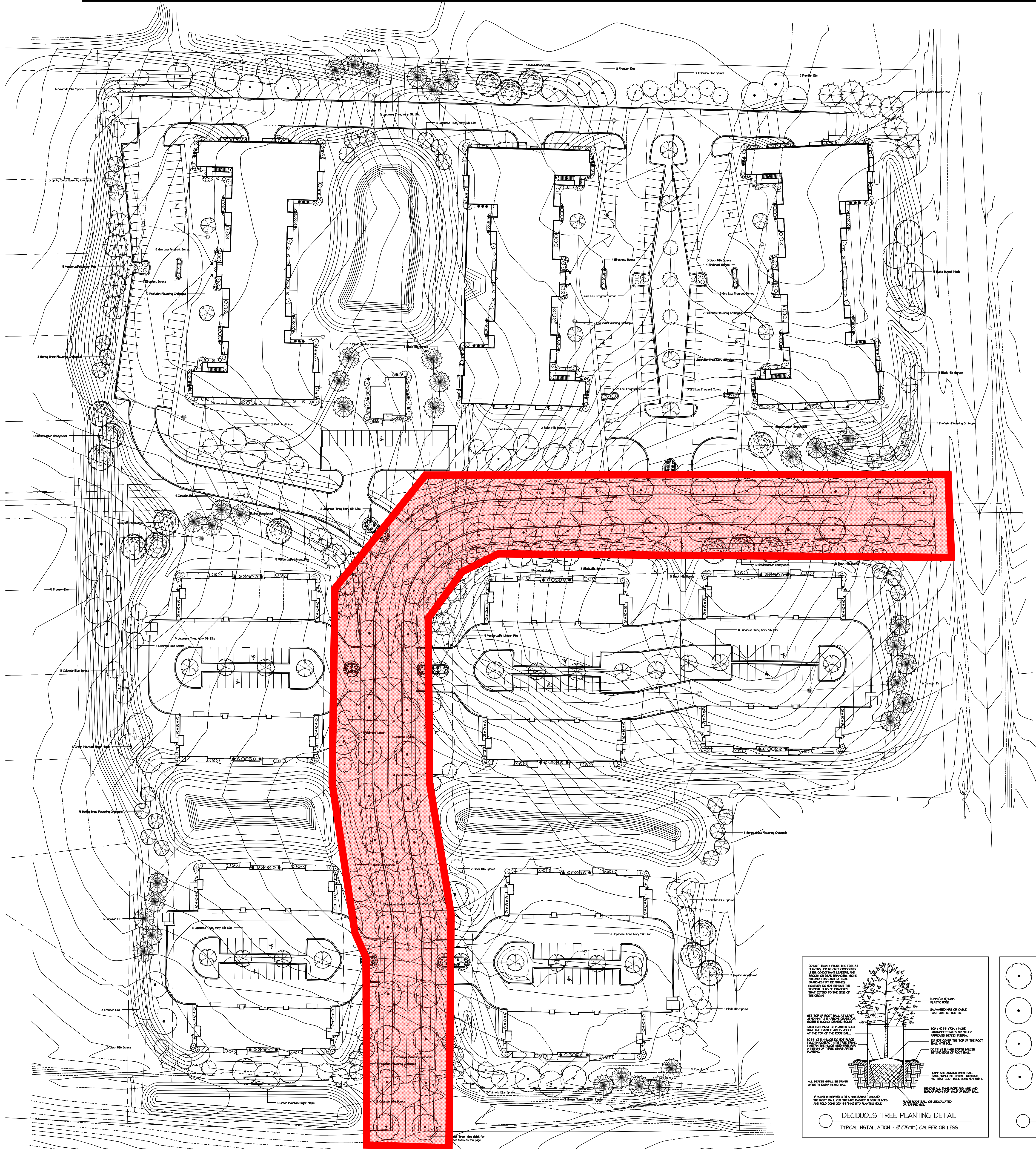
Sincerely,

Thomas Shircel  
Interim Village Administrator

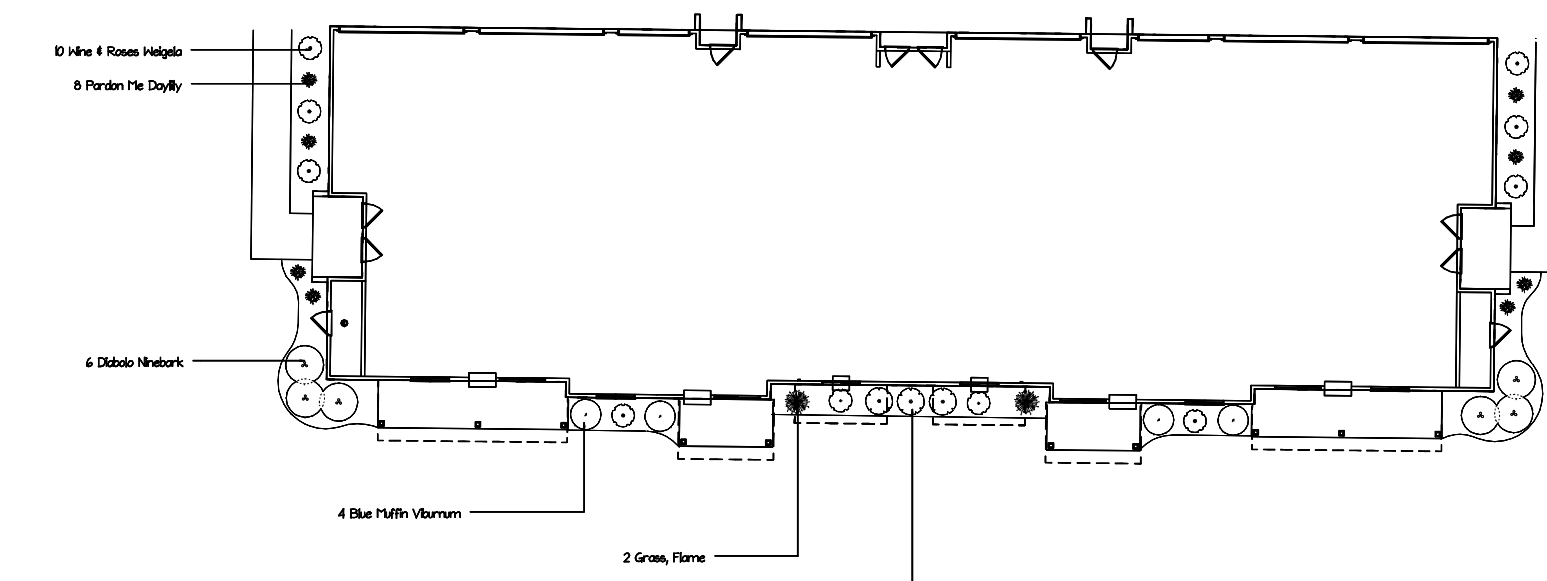


# Completed Street Tree Installation

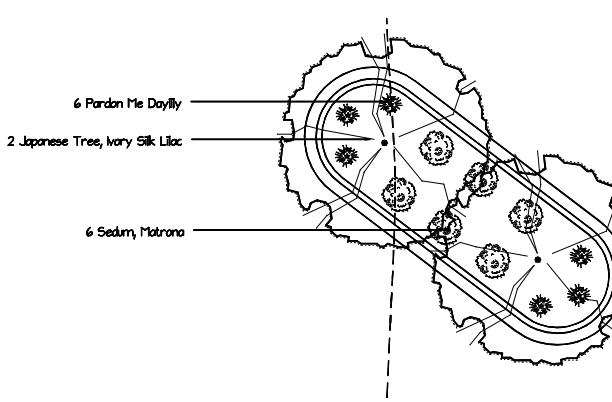
## EXHIBIT E



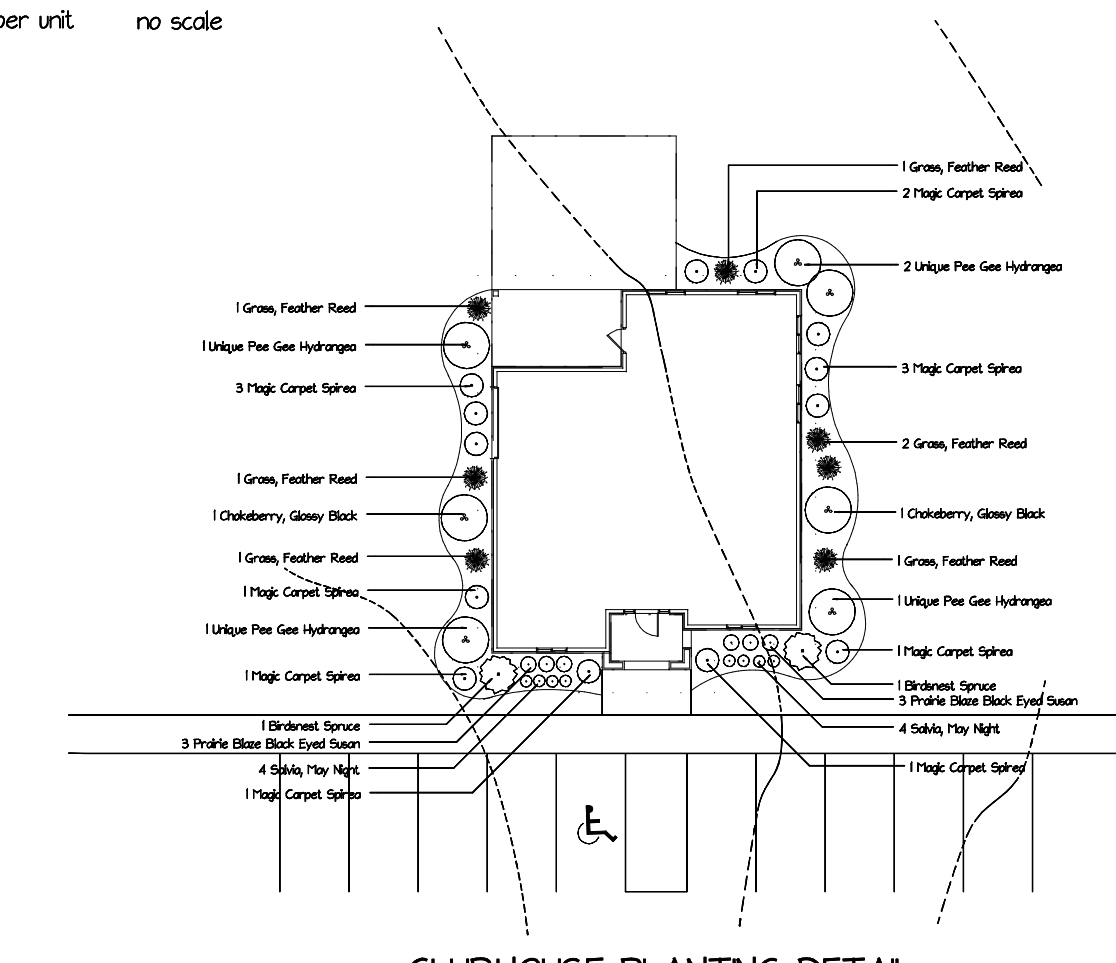
49 UNIT PLANTING DETAIL  
per unit, no scale



8 UNIT PLANTING DETAIL  
per unit, no scale



PLANTING DETAIL  
no scale



CLUBHOUSE PLANTING DETAIL  
no scale

NOTES

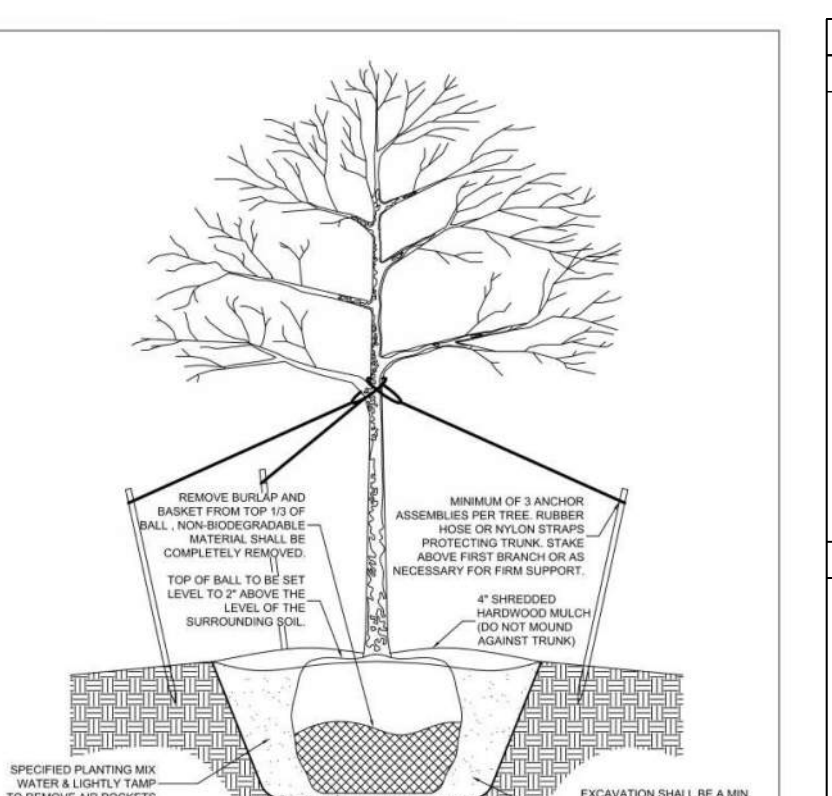
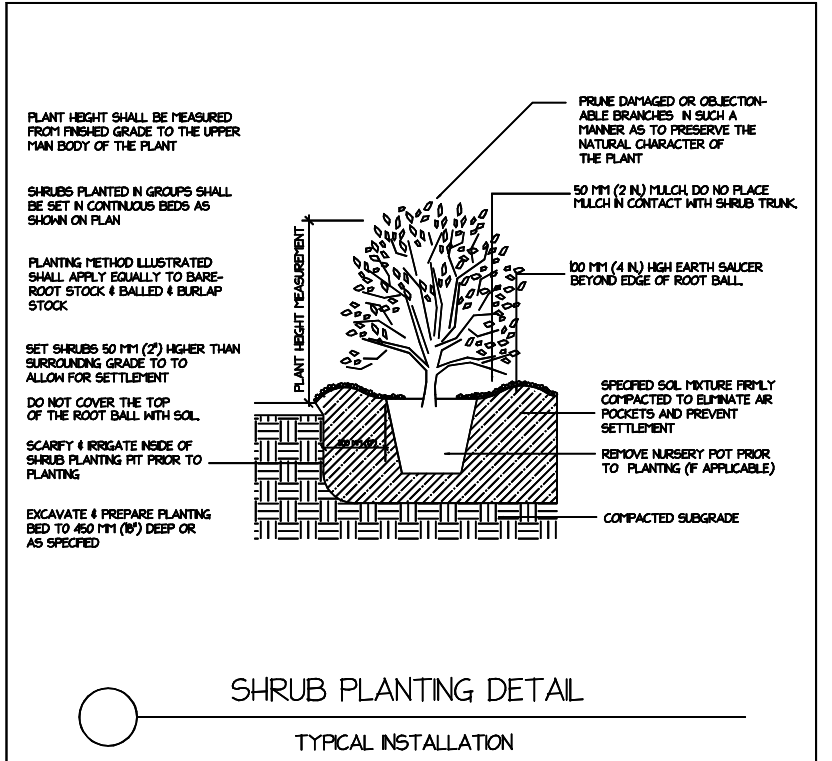
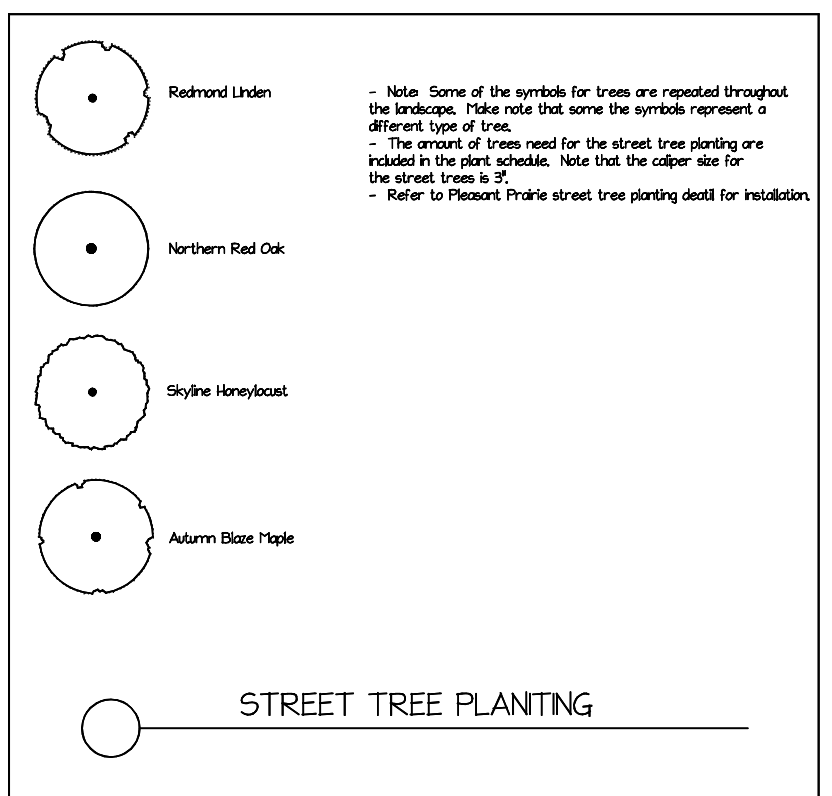
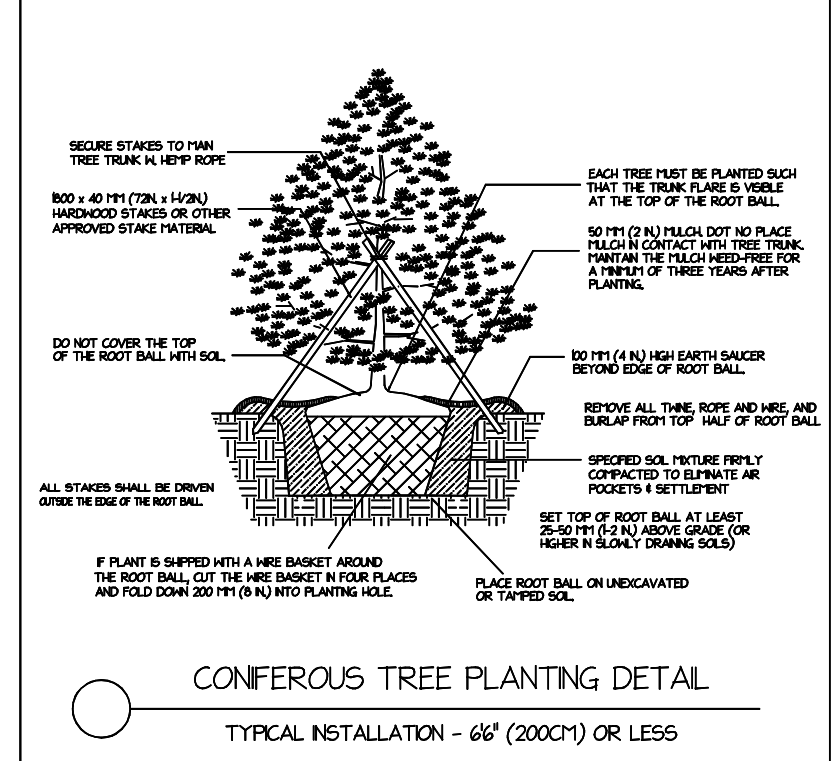
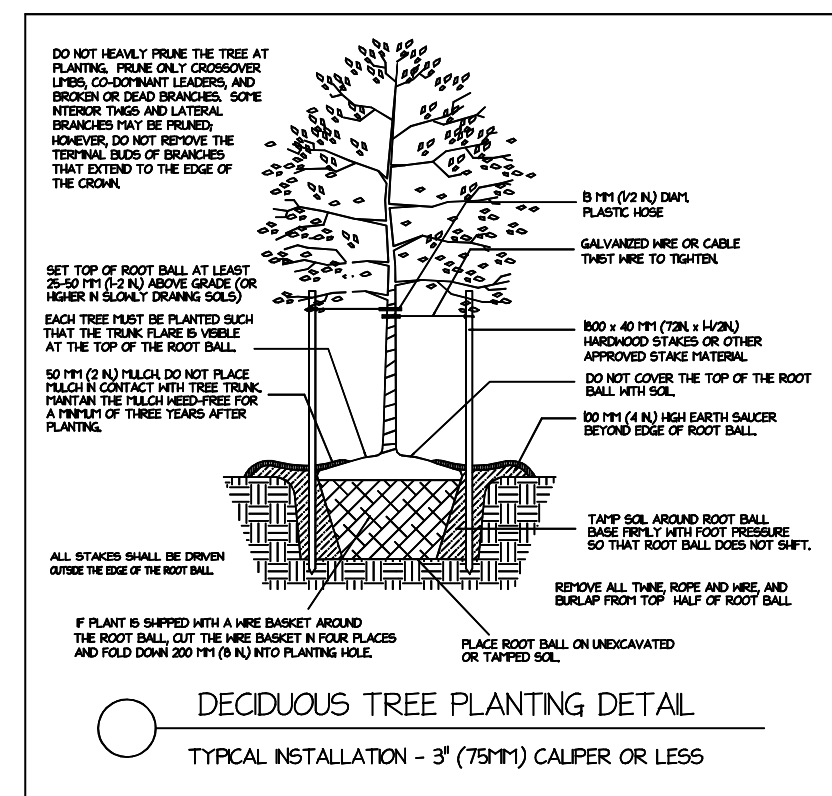
- Turf areas to be fine graded, drill seeded and hydromulched by landscape contractor.
- All planting beds to be mulched with 15" Mississippi stone or similar. Beds will be covered with weed barrier and edged with Ace of Diamond Commercial Black Plastic Edging or similar.
- Trees will be mulched with a 3' diameter mulch ring. Mulch will be brown dyed mulch. Depth of mulch will be 3".
- Plant material will be of the highest quality and will adhere to the "American Standard For Nursery Stock" set by the American Horticulture Industry Association.

No.	Date	Description
6	12-15-16	Added detail for street tree planting and changed tree type for street trees.
5	9-12-16	Revised street tree plantings.
4	8-25-16	Revised contour lines. Changed plant material around clubhouse.
3	8-24-16	Changed white pine to limber pine. Added plant material in parking lot islands near northern buildings.
2	8-18-16	Added street tree planting and detail. Added trees on the south end of the property.
1	8-11-16	Revised trees and included different types of deciduous and coniferous trees.



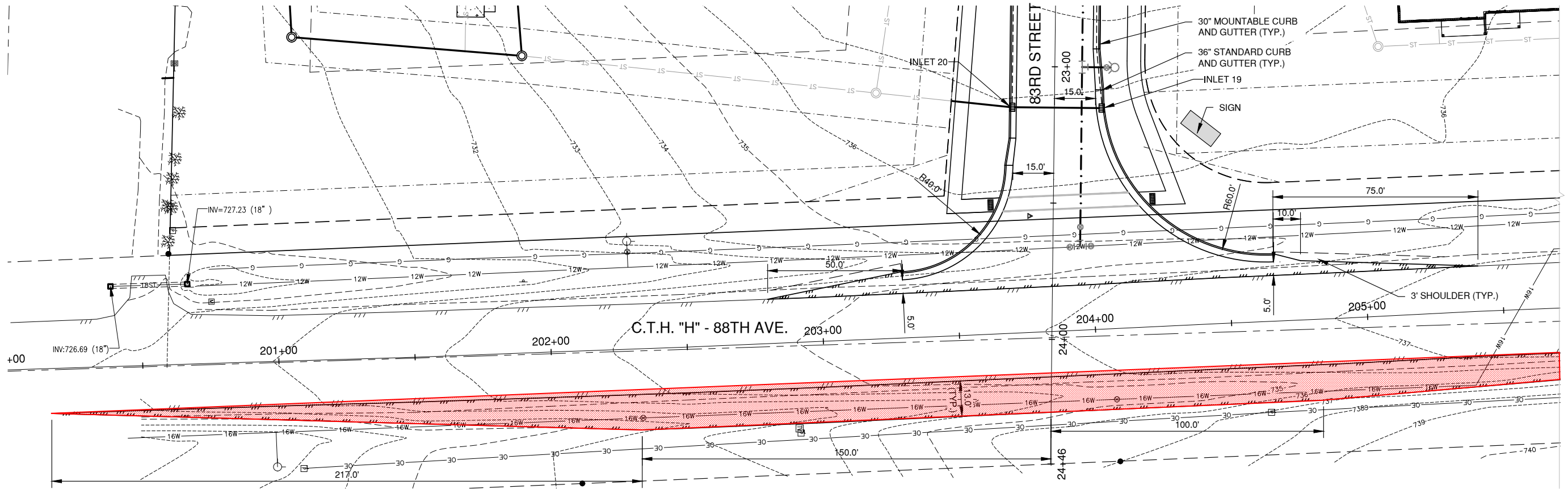
2750 LITTLE RAPIDS RD.  
DE PERE, WI 54115  
920.983.8432

LEXINGTON HOMES  
FOUNTAIN RIDGE APARTMENTS  
PLEASANT PRAIRE, WI

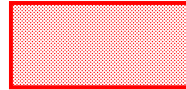


Qty	Botanical Name	Common Name	Size/Condition
15	Ulmus x Frontalis	Frontier Elm	25' Cal.
4	Acer saccharum Green Mountain	Green Mountain Sugar Maple	25' Cal.
4	Syringa reticulata Ivory Silk	Japanese Tree, Ivory Silk Lilac	25' Cal.
22	Malva x Profusion	Profusion Flowering Crabapple	25' Cal.
10	Tilia americana Redmond	Redmond Linden	25' Cal.
7	Gleditsia triacanthos var. inermis Skydancer	Skydancer Honeylocust	25' Cal.
16	Malva x Spring Snow	Spring Snow Flowering Crabapple	25' Cal.
1	Acer melanocarpum	Slate Street Maple	25' Cal.
10	Gleditsia triacanthos var. inermis Skyline	Skyline Honeylocust	25' Cal.
12	Tilia americana Redmond	Redmond Linden	3' Cal.
12	Quercus rubra	Northern Red Oak	3' Cal.
12	Acer x Freemanii Jefferson	Autumn Blaze Maple	3' Cal.
12	Gleditsia triacanthos var. inermis Skyline	Skyline Honeylocust	3' Cal.
14	Picea abies Nidiformis	Birdnest Spruce	5 Gal.
40	Picea glauca densata	Black Hills Spruce	4" H.
27	Picea pungens	Colorado Blue Spruce	4" H.
30	Abies concolor	Concolor Fir	4" H.
45	Taxus x media Densiformis	Densiformis Spreading Yew	5 Gal.
30	Thuja occidentalis Hetz 'Hedge'	Hetz Hedge Arborvitae	5 Gal.
1	Picea flexilis 'Vanderwolf's Pyramid'	Limber Pine	4" H.
85	Viburnum dentatum 'Christina'	Blue Bluff Viburnum	5 Gal.
2	Aronia melanocarpa var. alata	Chokeberry, Glossy Black	5 Gal.
40	Physocarpus opulifolius 'Diablo'	Diablo Nivea	5 Gal.
48	Spiraea japonica 'Goldmound'	Goldmound Spirea	3 Gal.
36	Hydrangea paniculata 'Jane'	Little Lime Hydrangea	3 Gal.
4	Spiraea japonica 'Flag Carpet'	Flag Carpet Spirea	3 Gal.
30	Syringa x pernickii	Persnick Lilac	5 Gal.
5	Hydrangea paniculata 'Unique'	Unique Pee Gee Hydrangea	5 Gal.
60	Heptagloia hirsuta 'Hazard'	Heptagloia Hirsuta	3 Gal.
2	Rhus aromatica	Gro Low Sumac	5 Gal.
17	Colanthea scutellaria 'Karl Foerster'	Grass, Feather Reed	1 Gal.
48	Hieracium sibiricum 'Parviflorum'	Grass, Flame	1 Gal.
<b>Perennials and Annuals</b>			
170	Hemerocallis 'Pardon Me'	Pardon Me Daylily	1 Gal.
6	Rubus species 'Prairie Blaze'	Prairie Blaze Black Eyed Susan	1 Gal.
8	Solidago 'Patriot'	Solidago, Piny Night	1 Gal.
38	Sedum 'Midland'	Sedum, Midland	1 Gal.

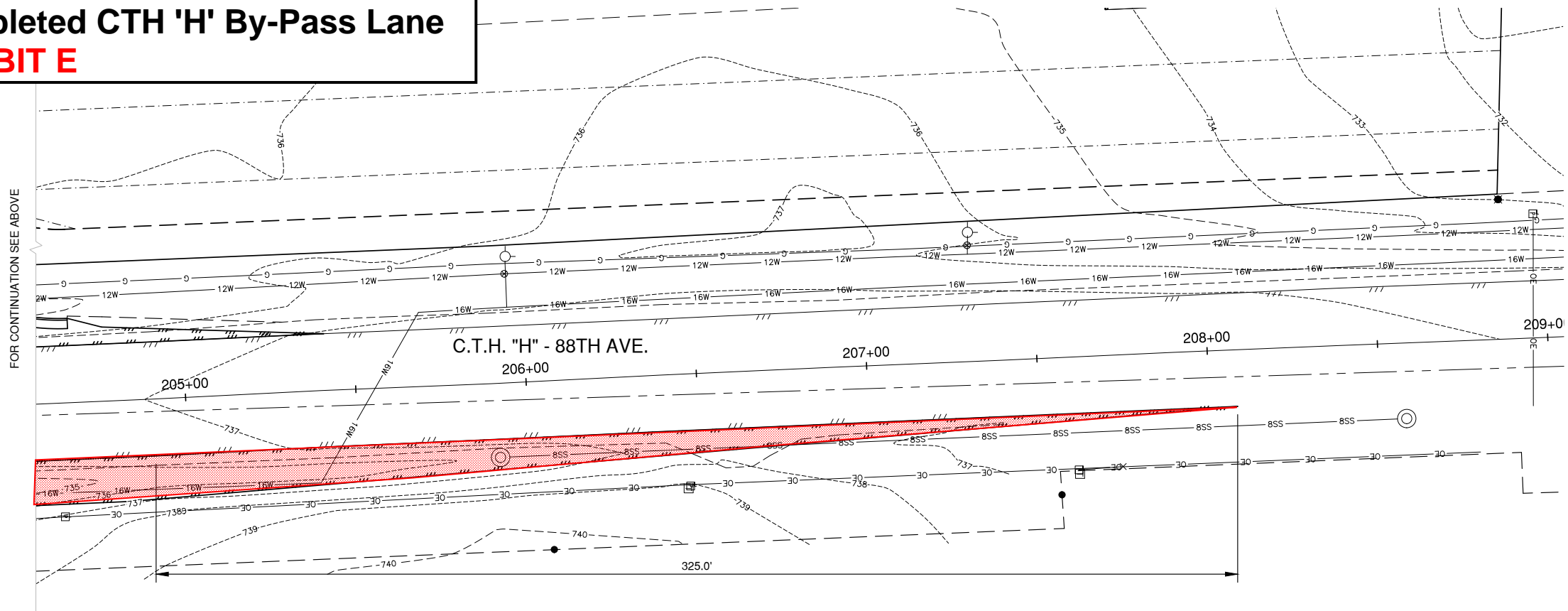
SCALE:	1" = 50'	PROJECT NO.
DRAWN BY:	RM	SHEET NO.
CHECKED BY:	MM	
DATE:	12-15-16	
DATE OF PRINT:		



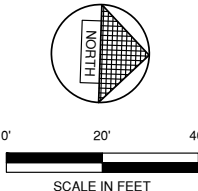
FOR CONTINUATION SEE BELOW



**Completed CTH 'H' By-Pass Lane**  
**EXHIBIT E**



FOR CONTINUATION SEE ABOVE



File: R:\300\4330\4330\4330\4330\INTERSECTION DESIGN.dwg  
 Plot Date: Dec 16, 2016 - 7:28pm  
 LAYOUT: INTERSECTION (2)

NO.	DATE	APPROV.	REVISION	NO.	DATE	APPROV.	REVISION
3	12/01/16	AJB	VILLAGE COMMENT REVISIONS				

DRAWN  
 RLR  
 CHECKED  
 JGS  
 DESIGNED  
 AJB

90TH AVENUE AND 83RD STREET  
 UTILITY AND STREET CONSTRUCTION  
 VILLAGE OF PLEASANT PRAIRIE  
 KENOSHA COUNTY, WISCONSIN

INTERSECTION DESIGN  
 BAIN STATION ROAD &  
 C.T.H. "H" - 88TH AVENUE

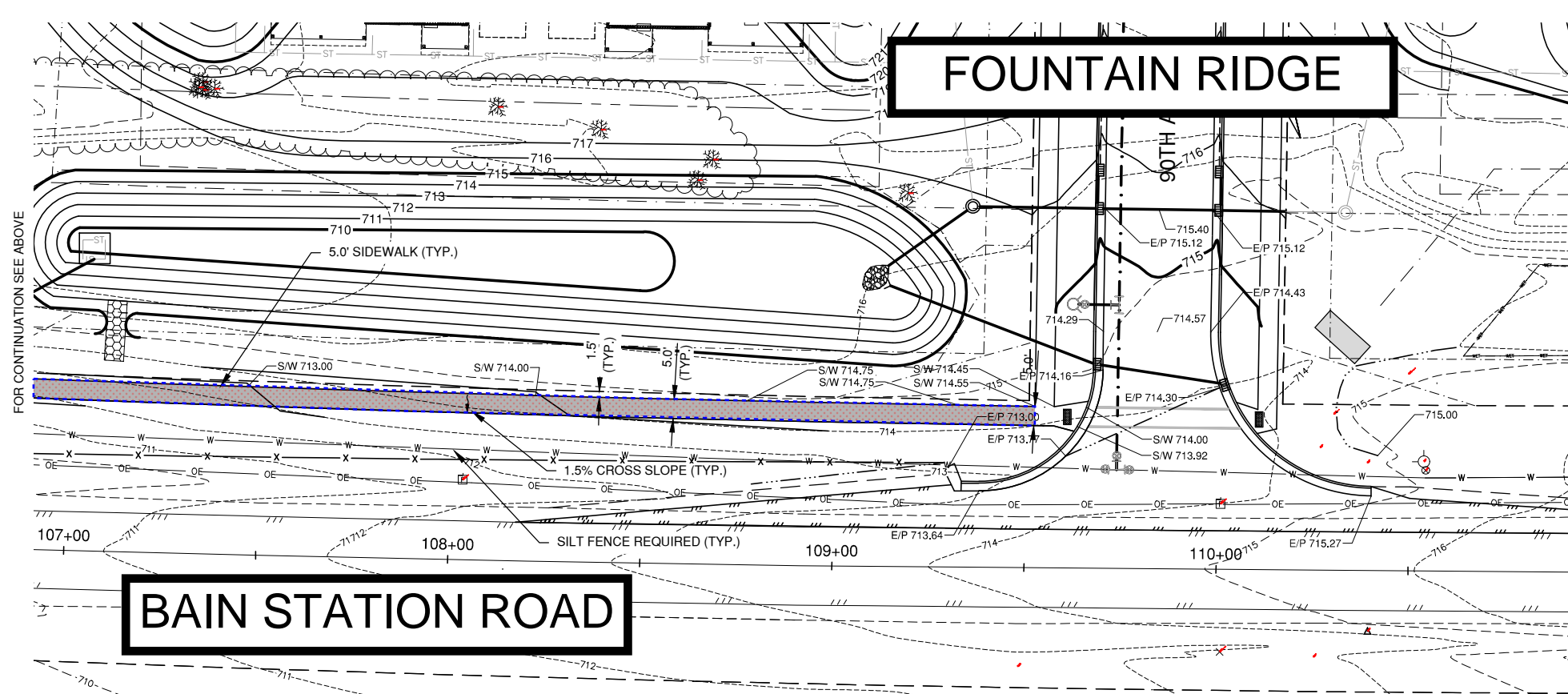
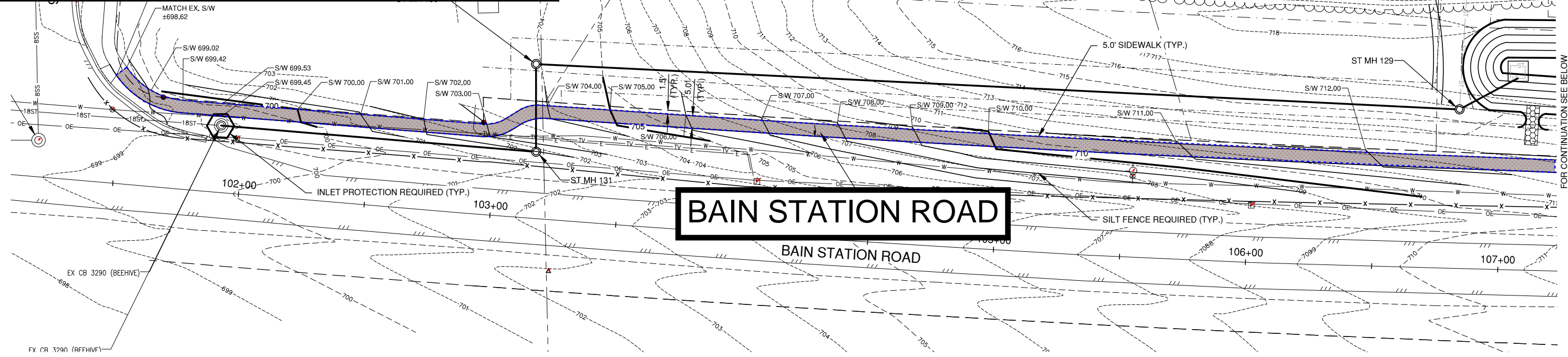
DATE  
 12/20/16  
 FILE  
 INTERSECTION DESIGN  
 JOB NO.  
 4329082



**Robert E. Lee & Associates, Inc.**  
 ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
 1250 CENTENNIAL CENTRE BOULEVARD HOBART, WI 54155  
 920-662-9641 www.releinc.com  
 Celebrating 60 Years of Excellence

SHEET NO.  
**24**

# SIDEWALK DESIGN 94TH AVENUE TO 90TH AVENUE EXHIBIT F



FILE: R:\3007\4329\4329000\4329000\INTERSECTION DESIGN.dwg  
 PLOT DATE: Jun 05, 2017 - 11:58am  
 LAYOUT: SIDEWALK

NO.	DATE	APPROV.	REVISION	NO.	DATE	APPROV.	REVISION

DRAWN: RLR  
 CHECKED: JGS  
 DESIGNED: AJB  
 90TH AVENUE AND 83RD STREET  
 UTILITY AND STREET CONSTRUCTION  
 VILLAGE OF PLEASANT PRAIRIE  
 KENOSHA COUNTY, WISCONSIN

DATE: 12/2016  
 FILE: INTERSECTION DESIGN  
 JOB NO.: 4329002  
 SIDWALK DESIGN  
 94TH AVENUE TO 90TH AVENUE

**Robert E. Lee & Associates, Inc.**  
 ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
 1250 CENTENNIAL CENTRE BOULEVARD HOBBART, WI 54155  
 920-662-9841 www.releeinc.com  
 Celebrating 60 Years of Excellence

SHEET NO.  
**22**

# EXHIBIT F

PROJECT NAME: **Fountain Ridge**  
CONTRACTOR: LEXINGTON HOMES, INC.  
COUNTY: KENOSHA  
DATE: 03/05/2018

Fountain Ridge Sidewalk at Bain Station Road			Construction Estimate		
Item		Bid Quantity	Unit	Unit Price	Total
1	Survey Staking/Layout	1	LS	\$ 2,500.00	\$ 2,500.00
2	Traffic Control Bain Station Road	1	LS	\$ 1,000.00	\$ 1,000.00
3	Common Excavating, Base Prep	237	CY	\$ 30.00	\$ 7,111.11
4	Concrete Sidewalk (5") with 1-1/4" dense aggregate base, installed and compacted per Village specification	4030	SF	\$ 6.00	\$ 24,180.00
5	Restoration topsoil, seed and blanket per Village specification	1100	SY	\$ 7.25	\$ 7,975.00
<b>Project Total:</b>					<b>\$ 42,766.11</b>
Construction Contingency				15%	\$ 6,414.92
<b>Estimated Construction Cost</b>					<b>\$ 49,181.03</b>
Estimated Engineering (inspections, etc.) of Construction				10%	\$ 4,918.10
<b>Estimated Project Total</b>					<b>\$ 54,099.13</b>

REC'D NOV 28 2017

Fountain Ridge ROW Additional Work  
Lexington Homes



**STARK Pavement Corp.**

12845 W. Burleigh Road  
Brookfield, WI 53005

Change Order #1 Breakdown

Date:

9-Nov-17

	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	Barricade Rental Per Carl (Barricade Flasher)	LS	1.00	\$ 183.82	\$ 183.82
2	Asphalt Sawing For Turn Lanes (Minimum Trip Charge)	EA	2.00	\$ 450.00	\$ 900.00
3	Genesis Excavating For Turn Lane On Bain Station Rd	LS	1.00	\$ 8,829.70	\$ 8,829.70
4	Fine Grading Turn Lane On Bain Station Road	HRS	3.50	\$ 525.00	\$ 1,837.50
5	Additional Asphalt For Revised Turn Lane Size	TON	88.00	\$ 69.00	\$ 6,072.00
6	Turn Lanes Asphalt Paving (Per Quote)	LS	1.00	\$ 28,495.00	\$ 28,495.00
7	Turn Lanes Asphalt Paving Quote Concrete Credit	LS	1.00	\$ (4,020.00)	\$ (4,020.00)
8	Turn Lanes Concrete Work (Per Quote)	LS	1.00	\$ 24,848.25	\$ 24,848.25
9	Added Concrete Base At Turn Lane On CTH H	LS	1.00	\$ 8,877.75	\$ 8,877.75
10	Base Stone Prep For Added Concrete Base At CTH H	LS	1.00	\$ 2,473.50	\$ 2,473.50
11	Concrete Testing (Per Quote)	LS	1.00	\$ 928.25	\$ 928.25
12	Bypass Lane Concrete Curb Installation	LF	482.00	\$ 16.85	\$ 8,121.70
					<b>\$ 87,547.47</b>

**ITEMS YET TO BE QUANTIFIED FOR BILLING**

- Bypass Lane Fine Grading
- Bypass Lane Asphalt Paving (7" Thick - 3 Lifts MT Mix)
- ROW Striping (Still Not Sure What Will Be Required)
- Asphalt Patch Prep and Pave On 96th

# EXHIBIT G

Fountain Ridge ROW Additional Work  
Lexington Homes



STARK Pavement Corp.

12845 W. Burleigh Road  
Brookfield, WI 53005

*Change Order #2 Breakdown*

Date:

7-Dec-17

---

	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	Bypass Lane Fine Grading	HRS	7.50	\$ 385.00	\$ 2,887.50
2	Bypass Lane Asphalt Paving (7" Thick - 3 Lifts MT Mix)	TONS	393.27	\$ 69.00	\$ 27,135.63
3	ROW Striping	LS	1.00	\$ 3,881.90	\$ 3,881.90
4	ROW Striping Credit From Contract **See Line #33**	LS	1.00	\$ (3,000.00)	\$ (3,000.00)
5	Asphalt Patch Prep On 96th	LS	1.00	\$ 1,584.00	\$ 1,584.00
6	Asphalt Patch Pave On 96th	LS	1.00	\$ 2,533.50	\$ 2,533.50
7	EBS / Move Material to Lots and Turn Lane For Grading	HRS	4.00	\$ 385.00	\$ 1,540.00
					<hr/>
					\$ 36,562.53



Office of the Village Finance  
Director/Treasurer  
**Kathleen Goessl**

TO: Village Board  
FROM: Kathy Goessl  
Cc: Thomas Shircel  
DATE: March 19, 2018  
SUBJECT: 2018/2019 Liability and Property Insurance Proposals

The Village will be entering its third year of a three-year bid cycle for our liability insurance. In 2016, the Village requested proposals from all interested companies. The Village Board chose the League of WI Municipalities proposal for liability insurance and Travelers for Work Compensation, Property and Crime Coverage. The Village advised the bidders of their right to bid in subsequent years if the Village determined that the proposed renewal prices, of our current carriers, were too high.

Our 2018/19 insurance proposals from our current carriers increased by 3%. The proposed premium is \$565,043. This is increase of \$16,769 or 3% from last year (see attached premium comparison).

- Worker compensation 60% of our premium, increased slightly by \$1,196
  - Experience mod stayed about the same increasing from .82 to .83
  - Payroll increase 9% or \$452,369
  - The State of WI base rates by class decreased 5-7%
- Liability insurance 22% of our premium, increased \$8,104 (7.1%)
  - Base increase of 1.5%
  - Increase in number and value of vehicles being insured
  - Rest of increase based on our loss experience. For the past four years, the League has paid \$1.1 million in claims, and we paid \$587,714 in premium.
- Property & Boiler 10% of our premium, increased \$3,113
  - Increase in the value of property insured by \$10.8 million

The Village, RecPlex and Utilities have a 2018 budget amount of \$589,001 for insurance. For 2018, we will be under budget by \$28,779 for worker compensation, and over budget by 4,821 for liability and property insurance.

My recommendation is to renew with our current insurance carriers, League of WI Municipalities for liability, and Travelers for worker compensation, Property and Crime coverage.



**Village of Pleasant Prairie**  
Property & liability Insurance Program  
Premium Comparison  
April 1, 2018

Premium

Lines of Coverage	2017/2018	2018/2019	Change	Coverage	Deductible	Carrier
Automobile Liability	18,225	20,163	1,938	5,000,000	1,000	League
General Liability	54,445	57,712	3,267	5,000,000	1,000	League
Law Enforcement Liability	12,836	14,019	1,183	5,000,000	1,000	League
Public Officials Liability	28,606	30,322	1,716	5,000,000	1,000	League
Automobile Physical Damage	40,089	42,357	2,268	9,887,936	1,000	League
	154,201	164,573	10,372	7%		
Property & Boiler & machinery	51,723	54,836	3,113	124,257,442	25,000	Travelers
Contractors Equipment	8,142	10,230	2,088	5,522,864	1,000	Travelers
Commercial Crime	1,149	1,149	-	100,000	1,000	Travelers
	61,014	66,215	5,201	9%		
Workers Compensation	333,059	334,255	1,196	0%		Travelers
<b>Total Before Dividends</b>	<b>548,274</b>	<b>565,043</b>	<b>16,769</b>	<b>3.06%</b>		