

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

**9915 - 39th Avenue
Pleasant Prairie, WI**

April 18, 2016

6:00 p.m.

A regular meeting of the Pleasant Prairie Village Board was held on Monday, April 18, 2016. 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 Michael Pollocoff, Village Administrator; Tom Shircel, Assistant Administrator; Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Police Chief; Doug McElmury, Fire & Rescue Chief; Rocco Vita, Village Assessor; Matt Fineour, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, HR and Recreation Director; Dan Honore, IT Director; Sandro Perez, Inspection Superintendent and Jane M. Romanowski, Village Clerk.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PRESENTATION OF MONETARY DONATION BY ZION SOLUTIONS TO THE POLICE DEPARTMENT.

Larry Booth of Zion Solutions presented Chief David Smetana a check in the amount of \$1,000 to the Police Department for their cooperation in working with Zion Solutions throughout the years.

5. CITIZEN COMMENTS

Carolyn Gage:

Note: (Recording started 6:05 p.m.)

[Inaudible] copies of a letter from the City of Batavia that discusses their decision as to why they chose not to do this. I also have a booklet and a couple of summaries that I can -- I only have one copy of each, but I can hand them to everybody if they would like to look through it. There is an abundance amount of information out there that says that residency restrictions actually decreased public safety. And I don't know if the police officers here might agree with that. It sometimes will make it so an offender stops registering because they cannot find a place to live. And it's better to keep track of them than to not. So I can hand this booklet and the two summaries, and you can just pass it along or just keep it in your office. But I ask that you at least review it.

John Steinbrink:

If you want to give those to Jane she'll make sure they get distributed.

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[Inaudible]

Jane Romanowski:

There weren't any more signups on the sheet.

John Steinbrink:

Okay, sir.

Robert Boeninger:

Excuse my appearance. I can no longer afford the niceties a lot of us take for granted these days. My name is Robert Boeninger. I live here in Pleasant Prairie at 8333 Lexington Place, Number 5. I attempted to file an identity theft report with the local police department here. And I presented various documents, DHS background check showing my identity being used at this address, other documents, and directions to the Illinois State Police who also stated that my father's identity had been stolen who died in 1975. And other documents showing that these people are involved in crime actions against me and my family which resulted in serious injury at various times.

I went and placed a police report presenting some of this information to the police department, and I went back several days later to get a copy because the FBI and other agencies directed I must first file with the Federal Trade Commission and file an identity theft report. And then I'm to go to my local jurisdiction here, file a police report, and they'll be able to release a copy of my father's identification with this known individual's face on it. I went back, and they issued me this document saying they cannot process my request. And after speaking with several individuals here in the Town Hall here they led me to understand that there's no direction whatsoever that they can do, and they have no control over the actions of the local law enforcement agency.

I went back approximately two or three days after that, maybe a little longer. In between that time the individuals who are stealing my identity contacted me and made it known that they know that I'm trying to get them arrested again. I went and talked to -- at that time I don't believe this is the individual, this individual is much taller, and this is maybe over half a year ago maybe, who I understand to be the Police Chief. I asked him what's going on with this police report, why can't I get it processed?

And this is after I went back repeated times to please a process because it's very important. I've lost massive amounts of money. And this person that identified himself as the Police Chief stated that they have taken all the information all the computer, and your report no longer exists. And I go, well, that's troubling to me because you can't do that. And at that point I asked him why he won't process it, and at that time he told me because you are mentally unstable and taking medication. And at that point there was very little much to say. And since I've been trying to obtain a lawyer and talking to many representatives of our state about this problem.

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And in this situation due to the people at the level that have committed crimes against me such as kidnaping with violence I've lost literally millions of dollars, and these are the very same people. And I found six other families, too, that these people are connected to that have endured some of the same downfalls, and I've witnessed crimes by these people committed against other families. And I want to process this so I can get a route into these people because they're very powerful. So what I'm asking is to please process my police report for ID theft for myself and my father so I can get a copy of the ID and obtain an attorney. And that's where I'm at.

John Steinbrink:

All right, thank you. This is citizens' comments, the Board can take no action on items you've presented, but we will refer it to the proper channel.

Robert Boeninger:

Okay. I was directed to come here by --

John Steinbrink:

And you left us with your name and address.

Robert Boeninger:

By the Department of Justice.

John Steinbrink:

Okay. Chief, do we have his information at all? All right. People will be getting back to you.

Robert Boeninger:

Okay, thank you very much.

John Steinbrink:

Thank you.

Robert Boeninger:

I'll be heading out. Thank you.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? Anyone else? Hearing none, I'm going to close citizens' comments.

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6. ADMINISTRATOR'S REPORT

Mike Pollocoff:

We have a pretty full agenda tonight, Mr. President, but I did want to bring the Board up to speed on something that's actively in process. And that would be the items that we're dealing with as far as abandoned store and abandoned building values. If you think back about a year ago Kenosha -- the State of Wisconsin had been considering an appeal about manufacturing assessments since the State does the appeals of manufacturing. And at that time Sanmina Corporation was assessed at \$8.9 million in 2014. They have presented a request in value change based on dark and abandoned factories that exist in the area. And the Tax Appeals Commission has reduced them to \$6,878,000 over the objection of the Village of Pleasant Prairie.

Subsequent to that action the Village Board directed myself and have the Village's Assessor engage on any future appeals to the Department of Revenue who is charged with making these manufacturing assessments and any requests that came forward. Subsequently after Sanmina had their value reduced to \$6.8 million they came back this year and said it really should be down to \$5.9 million, so they came back and asked for another one. So at that time the Village investigated it, did a staff analysis, and we recommended that it be placed at \$7.8. That was upheld by the Board of Assessors for the State of Wisconsin. And at this point Sanmina is now appealing it to the same Tax Appeals Commission that made the last determination.

So we're hoping with the Village standing as an appellant in the case appealing the recommendation from Sanmina that we will prevail on this. I think what I really want the Board to realize is that given the environments of how these things work it's truly a money making operation for attorneys to engage in this work, take a commission on whatever the refund is, and then going forward the corporation gets [inaudible]. They might take the whole thing or they might take 50 percent. One of the leading firms that's doing this has over 200 clients that they're doing this for. So some communities' fight them, some communities might have a contract assessor that passes it on and goes from there.

But it clearly leads to the troubling situation where these things are picking up. And there really is no stopping. They're going to keep getting these things if they can get them every year because the firm that's doing the legal work for them will benefit and profit from it. But I think its good news that we stepped in and will be hopefully doing another one in the following year because the State is doing these [inaudible] assessments every year, not every two years like we do when it comes out of the Village. So that's a status report on where we stand with property assessments.

Michael Serpe:

I have a question for you. Did we send an invitation out to our State Senator and State Representatives to meet with us to talk about this very thing?

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Mike Pollocoff:

Yes, I did. I met with them at the Council Government meeting two Saturdays ago. And they're working on finding a date where they can come to the Village.

Michael Serpe:

So they're working on a date. They're in recess right now.

Mike Pollocoff:

Right.

Michael Serpe:

So they're not very busy.

Mike Pollocoff:

That's all I have tonight, Mr. President.

John Steinbrink:

Thank you, Mike. I think it's important that the taxpayers know what the impact is on their bottom line and the services that we are able to provide to them. And the fact that they're paying somebody else's fair share.

Mike Pollocoff:

Yeah, that first one basically shifted \$2 million to residential taxpayers. Not that money came out of nowhere. It means the next year we couldn't levy that much, so that meant the residential taxpayers made up the difference.

John Steinbrink:

And we and other communities have made the State aware of this and the legislators, but unfortunately this is not a priority for them and they adjourned early so they could be on the campaign trail. Unfortunately their campaign trail is going to lead to higher costs for our residents and other residents around the State.

7. NEW BUSINESS

A. Consider Loyalty Day Celebration and Parade Proclamation.

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Mike Pollocoff:

Mr. President, this is coming out of the Public Works Park Department, so I'd recommend that John prepare a proclamation or describe it to the Board for their consideration.

John Steinbrink, Jr.:

Mr. President and members of the Board, I'd like to formally invite you and the community to this year's Wisconsin State Veterans of Foreign Wars, VFW, 2016 Loyalty Day Parade which will be held at Prairie Springs Park on April 30th of this year at 11:30. I'll go into a little bit of a history about loyalty. National Loyalty Day is observed annually on May 1st. This day is set aside to reaffirm loyalty to the United States and for recognition of the heritage of American freedom. Communities throughout the country also celebrate this patriotic day with parades and ceremonies. Loyalty Day is a holiday that promotes patriotism and recognizes and honors those who serve to protect those freedoms.

The holiday was first observed in 1921. It was originally called Americanization Day. It was recognized by U.S. Congress in 1955 and made an official recurring holiday in 1958. President Eisenhower proclaimed May 1, 1955 the first observation of Loyalty Day. And Loyalty Day has been recognized with an official proclamation every year by the President since its inception as a legal holiday in 1958.

Just a note that there's only one Loyalty Day parade in each state each year, and Pleasant Prairie was chosen this year with the Pleasant Prairie Memorial VFW Post 7308 as the host of that. So we're very excited to have the opportunity to host that for the State of Wisconsin. It will be held in Prairie Springs Park. Again, it's Saturday, April 30th. The parade route is going to start on the north ball diamonds and continue on to Park Drive to the southwest direction onto Terwall Terrace and onto the parade finish located at the new park and ride service lot just a little bit west of the south ballfield diamonds. So far we have 40 entries for the parade with local VFWs, neighboring VFW, other state organizations, police, fire, color guard honor guard. And I did hear this morning that possibly Jim Hawkins from Great Lakes Naval Base was going to be there, and also possibly the Great Lakes Band. And so we're definitely expecting a big turnout, and we're very excited to host that.

And with that I can read the proclamation into the record. Whereas, Loyalty Day was first celebrated as Americanization Day in 1921 as a way to reaffirm loyalty to the United States and to recognize the heritage of American freedom; and Whereas, President Dwight D. Eisenhower proclaimed May 1, 1955 as the first observance of Loyalty Day, and on July 15, 1958, Loyalty Day was made an official recurring holiday which has been recognized with an official presidential proclamation every year since; and Whereas, communities throughout the United States celebrate Loyalty Day with parades and ceremonies to promote patriotism and honor those who serve to protect our freedoms; and Whereas, Pleasant Prairie Memorial Veterans of Foreign Wars Post 7308 has been selected as host for the state-wide Wisconsin Loyalty Day Celebration in 2016; and Whereas, on April 30, 2016, Pleasant Prairie Memorial VFW Post 7308 will host a state-wide Loyalty Day Celebration at Prairie Springs Park in the Village of Pleasant Prairie in collaboration with other veterans organizations, civic and community groups to promote

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patriotism and honor veterans, emergency services personnel, police and every American who contributes to the support and defense of this great country;

And Whereas, the Loyalty Day Celebration on April 30, 2016 will include a parade, judging of parade entries, an awards ceremony, refreshments and conversations with the community and all are invited; and Whereas, as Americans we are united by the principles of freedom, justice and equality. Now, therefore, I, John P. Steinbrink, President of the Village of Pleasant Prairie, do hereby proclaim Saturday, April 30, 2016 to be the day of the Loyalty Day Celebration and Parade in the Village of Pleasant Prairie and call upon all in our good State of Wisconsin and the surrounding region to join Pleasant Prairie Memorial VFW Post 7308 in recognizing the heritage of American freedom. And signed this date April 18, 2016.

John Steinbrink:

Thank you. And just a note about our Post 7308, they've become very active in activities around the area and doing a great job especially in educating youth on Veteran's Day and the other celebrations that a lot of people are somewhat forgetting over the years here. And this is one thing they're doing here to further that. As John said it's an honor for us to have this in our community this year. So it's something that rotates around the State. We're fortunate enough this year to have it. Mike, anything else? We look forward to April 30th. And if we get good weather that's going to be even better. Do we need a motion on the proclamation?

Michael Serpe:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve for adoption of the Loyalty Day celebration and parade proclamation. Is there any further discussion?

SERPE MOVED TO ADOPT A LOYALTY DAY CELEBRATION AND PARADE PROCLAMATION AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

B. Consider Ordinance #16-10 to repeal and recreate Chapter 287 of the Municipal Code relating to Sex Offenders.

Mike Pollocoff:

Mr. President, this is an item that we've been working on for some time now. And it's a product of quite a bit of research from the staff's perspective and our attorney. And we've slowly but

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surely been impacted by an environment where the community surrounding us have increased their regulatory efforts as it relates to sex offenders. And it's had an uneven application of how it's impacted Pleasant Prairie.

So we took a look at what were some of the negative impacts of regulating the location and housing of sex offenders from a sex offender standpoint, and we've also looked at it from the community standpoint. And I've seen numerous studies that said -- I've evaluated studies that says if you put these individuals in the situation where they're cast out as outsiders or they can't function then you can see some more deleterious impacts. But a lot of the studies that I've seen have indicated and reflected that those individuals go best sited in an area, one, where they have some support services, if it can't be their direct family there's some type of family member there, or there are services to make sure they can leave their home, go to a place of employment, and be able to return until such time having support of counseling and work to get them back to where they're integrated into society.

One of the things about Pleasant Prairie is we're 33 square miles, and there isn't a real -- we have areas of high concentrations of population, we have areas that are very rural areas. And to the degree that someone's placed in an area that -- we don't have mass transit at all in the Village, so it's relying on somebody to either get a car or have someone who has a car to get them to where they want to go. And there's no prospect of us having mass transportation any time in the future because it's really operated out of City of Kenosha, and the City of Kenosha is not providing that to any municipality outside the City limits.

So from that point from the attorney's standpoint and from staff's we've been taking a look at what we need to do. We tried to approach this from being able to manage the situation at four different levels so that it could be controlled better. The purpose of this is not to seek to impose any criminal penalties on individuals, but rather service the Village's compelling interest to promote, protect and improve the public health and safety and welfare of the residents of the Village of Pleasant Prairie in order to create areas around locations where children regularly congregate in a concentrated number wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence.

There are repeat sexual offenders or sexual offenders who use physical violence, and sexual offenders who prey on children or sexual predators present an extreme threat to the public safety. And those offenders are certainly likely to use physical violence and to repeat their offenses. And most sexual offenders commit many offenses and have more victims than are typically reported. So that's the underpinning. In order to maintain a certain level of I don't want to say sanity but some certainty in the community that people are living in an area that's safe these are actions that the Village has under its home rule authority, the responsibility they can take.

Let me go through some definitions that define what's going on in this chapter. For the purposes of a child we're defining a person who is age 16 years or younger as a child. A designated offender is any person who is required to register with the State for any sexual offense against a child or any person who is required to register who has been designated as a special bulletin sex offender which would be a violent and repetitive sexual offender. A minor can be someone under the age of 18. So you have a two year gap in the age there, but you can still be a minor and be 18

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years old. A permanent residence is a place where the designated offender lodges or resides for 14 days or more.

Prohibitive activity, a designated offender participates in a prohibitive activity by taking part as this relates to minors in an event which shall include without limitation distributing candy or other items to children at Halloween, wearing a Santa Clause costume preceding Christmas or wearing an Easter Bunny on or preceding Easter. Prohibited locations are any school, licensed daycare center, park, trail, playground, place of worship, athletic field used by minors and any other places by the Village as a place where minors are known to congregate.

Safety zone, safety zone is any real property that supports or upon which there exists any facility used for or that supports the school for minors, a public walk, a public park, a park facility, a trail or any other prohibited location including any sidewalks or lawns adjacent to prohibited locations. Temporary residences are one of two things. A residence where a person abides, lodges or resides for a period of 14 days or more in the aggregate during a counter year for which it is not the person's permanent address, or a place where the person routinely abides, lodges or resides for a period of four or more consecutive or nonconsecutive days in any month in which it's not the person's permanent residence.

Sex offender and sex predator residence prohibitions and exceptions. And the map above that you can see here is the current ordinance that's regulating the distance between prohibited sites. So under the new ordinance that's being proposed tonight that goes to 3,000 feet. And it's the same on both screens. These red lines indicate what's 3,000 feet. And then the areas that are squared and with the heavy red line identify those are protected areas that have been defined by the Village's ordinance. The green dots that are on the map display where our current records show there are people who are currently living in these establishments or residences and are registered sex offenders. In the places where the dots are close together that's where there is more than one person at a site.

So under the proposed plan there's two things afoot here. One is where we identify the 3,000 foot buffer for protected properties, and the areas in green is the 3,000 foot buffer. And the hot pink areas are the unprotected parcels. And primarily those parcels are the south side of LakeView Corporate Park, the Des Plaines Floodplain, and spot areas in amongst the Village. Some of them are manufacturing uses, some are residential uses. If you go back to the previous slide of what the current ordinance provides you can see how much larger the pink areas are or the existing [inaudible]. If you go back to the new one that's being proposed we also have identified where those existing sexual offenders live, and they're outlined by a circle that's a little bit hard for you probably to see, but it's a green line that typifies or identifies a 500 foot limit. And there cannot be any more than one registered offender living within 500 feet of another offender. So it reduces that conglomeration that we've been seeing that's occurred in some areas of Pleasant Prairie.

We've also identified original domicile restriction. This is another way to deal with the offenders that will be implemented in this ordinance. In that unless the designated offender was legally domiciled in the Village at the time the offense resulting in the person's most recent conviction for committing a sexually violent offense or crime, so it's unlawful for that designator to have come from another community and the relocate as a resident in this community. So if someone

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lived in the community and did commit a crime after having been a resident of the community for two years then they could come back with restrictions that would have to be monitored.

The purpose of determining the minimum distance separation in the chapter it's being required that it shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence of a designated offender to the nearest outer property line or a prohibited location. Any portion of a tax parcel that contains a prohibited location the entire parcel shall be considered a prohibited location. And that's why in some of these areas you'll see parcel lines which are a little bit hard to see, but our only one way to really keep track of parcels is if we keep track of them by parcel number and a parcel definition and description which you receive when you get your property taxes. That's the one recognized method of determining a parcel. So some of these parcels if there's nothing that touches it from the 3,000 foot boundary then that whole parcel that's beyond that boundary limit would be affected. In this case here you can see there's a parcel that crosses that 3,000 foot line so the entire parcel becomes protected under the 3,000 foot line. And if it's not it's not.

There are exceptions that the attorney in looking at some case law that he felt we needed to consider. That a designated offender residing within a prohibited location of the residence will not be in violation of this chapter if any of the following apply. The designated offender established a permanent residence or temporary residence and reported and registered to residence pursuant to the statutes before the effective date of this chapter. And the designated offender has resided in such permanent residence or temporary residence continuously since the effective date of this chapter except for temporary absences of no more than 30 days. The designated offender is a minor and not required to register, or prohibited locations situated within 3,000 feet of the person's permanent residence was opened or established after the designated offender established permanent residents and was reported and registered pursuant to the State statute. A residence is also the primary residence of the designated offender's parents, grandparents, siblings, spouse or children provided that such parent, grandparent, sibling, spouse or child established the residence at least two years before the designated offender established residence at that location.

Sexual offenders and sexual predator prohibited activities. And this is the safety zone is an area where a designated offender shall not enter upon or be present within a safety zone except in the exceptions I'm going to give you now. The property also supports a church, a synagogue, the mosque, a temple or other house of religious worship subject to all the following conditions. So with these conditions these people can go to church. This is I guess the shorthand reference. The designated offender's entrance and presence upon a property occurs only during the hours of worship or other religious programs or services that are posted to the public. And the designated offender shall not participate in any religious education programs that include minors.

The property also supports a use lawfully attended by a designated offender's natural or adopted children for which a child's use reasonably requires the attendance of the designated offender as the child's parent upon the property subject to the following conditions. The designated offender's entrance and presence upon the property occurs only during the hours of activity related to the use as posted to the public, and only is reasonably necessary in connection with such activity. The property also supports the polling location in a local, state or federal election

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subject to the following conditions. One, the designated offender has to be eligible to vote. The property is at a designated polling place for that offender, they can't pick their poll. The designated offender enters the polling place property, proceeds to cast a ballot with whatever usual or customary assistance is available for any member of the electorate, and vacate a property immediately after voting.

The property also supports a school lawfully attended by the designated offender as a student under which circumstances the designated offender may enter on the property supporting the school at which the designated offender is enrolled for such purposes and at such times as is reasonably acquired for the educational purpose of the school. The property also supports a court, government office or room for public governmental meetings subject to all the following conditions. The designated offender is on the property only to transact business at the government office or place of business other than a public library or to attend an official meeting of the government body like the meeting we're having tonight. The designated offender leaves the property immediately upon the completion of the business or meeting. Prohibited activities. It's unlawful for a designated offender to participate in a prohibitive activity.

Now, that covers the vast majority of people that have been registered or identified as sexual predators. The next section which is Section 287-5 of the Village ordinance covers property owners prohibited from renting real property to certain offenders, sexual predators and notification requirements. One of the things that this ordinance does is right now we rely on corrections to work with the Village and notify us of placing with someone, our own knowledge of what's going on in the community. And in this ordinance we're placing the owners of property who are renting or leasing the property to individuals must also be a part of this.

And as such it would be unlawful for any property owner to lease or rent any place, structure, mobile home, trailer or any part thereof with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing permanent residence or temporary residence therein pursuant to this chapter. So if there's a parcel within that 3,000 foot are or the 150 foot area it's the responsibility of the property owner not to rent to somebody that would want to locate in there.

It will be unlawful for a property owner to renew a lease interest established prior to the effective date of this chapter for a designated offender, whether the leasehold interest is on a month-to-month basis or for a definite term, for a period beyond six months from the effective date of this chapter. No such leasehold interest shall affect the requirement that the establishment of a new permanent residence or new temporary residence for a designated offender after the effective date of this chapter must comply with all requirements of this chapter.

So there are people that currently under the adoption of this new ordinance that live in an area that's regulated by the 3,000 foot limit. But once those leases are up or those rentals are up but not longer than six months they need to vacate those -- those properties need to be vacated if they can't be used because they're prohibited by their location to protected sites. A designated offender has the responsibility to tell any property owner from whom a designated offender intends to lease or rent any property, structure, mobile home, trailer or any part thereof that the designated offender is a designated offender as defined under the Village statute.

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So the police department will be contacting people once a year, and we're going to tell them that they need to identify to us who is living in their property that's a designated offender. We expect them as the lease transpires that the property owner will advise the Village or police department that somebody has left so we know that person is gone. And those are requirements that the Village places on the property owners that if they do not comply they would be subject to a fine for not complying.

There's another wrinkle to this that's different, and that's the adoption of exceptions for placements under Chapter 980 of the Wisconsin Statutes. And this is legislation that was just recently adopted this year where the Village of Pleasant Prairie may not enforce any portion thereof that restricts or prohibits a sex offender from residing at a certain location or that restricts or prohibits a person from providing housing to a sex offender against an individual who is released under that statute. These are people who are guilty of violent or aggravated attacks on people and sexual offenders of that nature.

So, Jean, can you go to the next slide? This is sex offender ordinance change. And this identifies the location of protected sites that are childcare. So these new lines are the red. These are the Wanggaard lines. These are lines that were proposed by Senator Wanggaard to restrict the limitation to 1,500 feet. So for everything but the most violent offenders under the Village ordinance that we can regulate would be 3,000 feet. But for the most violent violators their restrictions will be limited to 1,500 feet by State law. And then the other items that we've adopted tonight dealing with multiple people at one site, requirements for somebody to vacate a site after they've done it, all those rules and regulations have been superseded by the State, and the Village is no longer permitted to adopt any ordinance that would restrict their placement. All that's required now by the State is they just have to be 1,500 feet away from an area where there's a child.

And then there's a second map, next slide, and this is sex offender ordinance that deals with adult care. So in this one this opens up pretty much the whole Village for the placement of a violent sexual predator under the Wanggaard lines. So the Wanggaard lines are really small. They affect a certain number of sites, and it opens up the Village for the most violent ones that can be placed, and we're no longer able to regulate that or monitor it. So everything I mentioned before, the things we're doing to regulate sex offenders, I hate to use this term, but it's more like a garden variety sex offender versus the really violent ones. Those are going to be more regulated than the more violent ones.

The other thing we put into this with the exception of the Wanggaard line because we can't regulate that is injunction ability. If a designated offender or property owner violates any provision of this chapter the Village may, in addition to all other rights and remedies allowed by law or this chapter, refer the matter to an attorney chosen by the Village Administrator to bring an action in the name of the Village in circuit court to seek a temporary restraining order, temporary injunction or permanent injunction against such designated offender or property owner to prevent them from violating the terms of this chapter or to take any action, or prevent any action, necessary for compliance with the terms of this chapter.

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There are penalties provided for in this ordinance. Any firm, person or entity who violates any provisions of this chapter shall, upon conviction thereof, be subject to a forfeiture not to exceed \$500.00 together with the costs of prosecution, and in default of payment thereof, shall be committed to jail for a period not to exceed 90 days. Each violation and each day such violation continues shall be considered a separate offense. In other words if the violator won't change and won't come into compliance with the ordinance, each day that that violation continues, each day there will be a \$500 cost forfeiture that we're going to be seeking from that violator.

My recommendation is that the Village adopt this ordinance tonight that would be effective tomorrow. As I said we've been working on this quite a while, and we've really endeavored to protect the public's safety and in areas where there is a reasonable expectation that the sex offender needs to carry on some aspects of their life, whether they're going to vote, going to church, going to see their children's teachers at school, those things can happen within the parameters that are established by this ordinance. But other than that that can't happen.

Has the area gotten smaller? Under the Village's ordinance it has. But I really believe under the ability of these people to function and be able to reintegrate into society the vast number of rules and sites in Pleasant Prairie really don't permit that without the support that this community or even Kenosha County is able to provide. So with that, Mr. President, if there's any questions I'd be glad to answer them or it will be up for the Board's consideration.

John Steinbrink:

Do we have a motion and a second, then I'll open it up to discussion.

Michael Serpe:

I would move to adopt the Ordinance 16-10.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Any discussion?

Michael Serpe:

I don't know about discussion, John, but prior to any laws or any ordinances that are in effect today there was no notifications on where sex offenders were coming into the community. At least now this gives the whole community more eyes to watch what's happening, and these offenders know they're being watched. And I think that's a big advantage. Unfortunately we can't guarantee that an offender will not re-offend. We can't guarantee that. But we also know that having as much on the books as we do the likeliness of re-offending are going to be slim because they're being watched constantly. And especially when a neighborhood knows that a sex

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offender has been placed reasonably close to their house. I have one 300 feet away from me. Believe me, he's being watched. So I support this. I think Mike and Tim Geraghty and staff did a fantastic job. I hope we answered the concerns of our two people that spearheaded this for us. And I totally support it.

Kris Keckler:

Either in our awareness or through the police department what is the procedure for when a sex offender is getting released? Are they given -- is somebody counseling them and guiding them and actually sitting them down with a map saying this is allowed, telling them specific areas to avoid? Do we have good confirmation that that's being handled appropriately to avoid this at all possible?

Mike Pollocoff:

I believe, and the Chief could probably answer this, too, that the Department of Corrections is making an effort to do that. I mean they don't want to put somebody someplace where they're going to immediately have a problem because it's not permitted. And one of the problems is that as communities have been working to address this it's been getting harder to place it. So what happens is these guys are getting placed wherever they can be put whether it's really a good site or not. They're just looking for a place to be put. To be honest with you I don't know if they're staff to that level to keep an eye on these guys or they contract that out to a private service to do that work. But as far as making that determination that's something that Corrections is going to follow. We're going to be forwarding this ordinance to the Corrections Department and to the District Attorney's office as well as our own prosecuting attorney here in the Village. I don't know, Chief, if there's anything you want to add to that?

Kris Keckler:

That was my next question, too. With expecting this to be passed tonight or moved along that we're sharing this with the existing population in every capacity.

Mike Pollocoff:

Right.

Chief Smetana:

Good evening. As far as the process moving ahead we've identified numerous addresses within the Village that we'll be notifying via mail and opening up some dialogue with those homeowners as well. As Mr. Pollocoff mentioned one of our first duties will be to contact the Department of Corrections and advise them of the changes. To answer your first question there's a great deal of communication going back and forth between somebody on supervision and the DOC or Department of Corrections individual who's charged with monitoring that party. They're sent to the police department to register so we have contact with them. We field numerous calls from sex offenders investigating properties trying to figure out where they can live. So those

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things do happen on a regular basis. And then we can take a look at the map, find the address, put the scales up and see if that's a legit address for them to move into.

Michael Serpe:

Chief, which offenders, if any, are supposed to wear the monitoring, the bracelet, the ankle bracelet?

Chief Smetana:

Most of the special bulletin offenders.

Michael Serpe:

Do we have many of those offenders in Pleasant Prairie?

Chief Smetana:

We've got several that have been released. And they're on extremely tight supervision.

Dave Klimisch:

This might be more for Mike. On the current map I see a fair amount of offenders that are living within protected areas. Is that because they're run by the Department of Corrections?

Mike Pollocoff:

Those are supposed to be offenders that would meet the requirement where either they lived there before when the original one was adopted, or that might be their place of residence, that's where their family lives.

Dave Klimisch:

Then with this ordinance change if it passes several of these houses have more than one offender living in them?

Mike Pollocoff:

Right.

Dave Klimisch:

That would change, or that falls under the Wanggaard lines and the DOC?

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Mike Pollocoff:

No, the Wanggaard line applies to the most violent offenders where that's been collapsed and made closer to protected places. Everybody else would come under the new Village ordinance. And those sites where there's more than one we'll be notifying -- Chief has the locations where that exists so we'd be notifying. We can't make somebody leave. We're saying we're not going to make somebody leave from a site where they have a current contract or lease to be there. But once that lease is done that site will be in compliance to only have one. If there's multiple there or if it's not in compliance because it's inside the protected zone of the 3,000 feet, then once that last offender leaves then they can't be replaced by another. So there's a process that we're going through where we're not going to violate existing contracts or leases. But once they're renewed they can't be renewed if they're in violation.

Dave Klimisch:

And the current homes that have more than one offender with the 500 foot buffer between offenders they will be moving out? Those are the more violent offenders they're housing together.

Mike Pollocoff:

That's a good question. I don't know if there's a place where there's a violent offender with a nonviolent offender. But either way for the nonviolent offender the Wanggaard rule would take place and they could stay there. If it's not a violent offender then they would need to come into compliance with the Village ordinance, and at the time the lease is over then they need to leave.

Dave Klimisch:

And one last question. Chief, for the nonviolent offenders do you know how long they are in the system where they need to report or register?

Chief Smetana:

That's up to each individual case where they're placed on supervision from the court.

Michael Serpe:

The violent offenders, the level 1 I think --

Chief Smetana:

Level 3, the 980, right.

Michael Serpe:

We have none in the Village as I understand?

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Chief Smetana:

DOC has told us at our last meeting that it was their understanding that we had none of the 980 offenders living in the Village. That that was typically a very rare experience.

John Steinbrink:

Other Board comments or questions?

Michael Serpe:

I'm curious as to the lady that spoke in citizens' comments. Are you a resident or do you have a house that sexual offenders reside in?

[Inaudible]

Michael Serpe:

I can't hear you. You have to get up.

John Steinbrink:

Give us your name and address for the record.

Carolyn Cage:

It's Carolyn Cage, 10815 Old Green Bay Road. I'm one of those dots. My boyfriend is an offender. When we moved up here, prior to moving up here from Illinois I had called the police department and asked if we were in a safe zone. It was Chief Wagner I believe. When I moved here it was four years ago almost. And he said, and I have the email from him, if the person was not an SBX offender or no longer on supervision then the rules wouldn't apply to him. He would be free to live wherever. I have also contacted the State of Wisconsin about the Halloween restrictions. We've never decorated our house or anything. We've actually put up sawhorses at the end of our driveway. Just we don't want anybody walking up to the door. Just don't want to deal with that. But they said as long as the person is no longer under supervision then those Halloween restrictions don't apply. So what I would like to know is if someone who is not an SBX offender would these restrictions apply to them? He's an average, everyday, ordinary offender.

Chief Smetana:

The ordinance defines who is covered under this. And I'm not certain of your situation. If the offender was convicted of an offense against a child, a sexual oriented offense against a child, then they're included in this. So without knowing all the particulars I'd be happy to talk to you

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tomorrow and give you a call and straighten that out. Especially when they come from Illinois there are some agreements within the state, so those things are very difficult to answer tonight.

John Steinbrink:

Thank you, Chief. Judge, you had a comment?

Dick Ginkowski:

Yes, Dick Ginkowski, Municipal Judge. Obviously I can't comment on that. I'm not your legal advisor so I can't comment on the substantive part of the ordinance. It's not before me. But one thing that I would note and you may want to give some thought to is the penalty, although it is a daily penalty, the \$500 from almost all the Village ordinances that is the basic maximum fine for if we had an ordinance for spitting on the sidewalk it would be \$500. The question that comes into my mind is if I'm imposing a disposition that doesn't give me much room to work with in that range given policy that you've articulated. You may wish to consider perhaps at least doubling that to give us a little more latitude, amending that to give us a little more latitude in imposing a disposition.

A forfeiture generally, a penalty, is not supposed to be punitive to the extent that it's impossible to pay. But also it's supposed to reflect costs of enforcement and prosecution. Something along this line in terms for the Village may be more cost intensive, and so it would be within the Village's purview to consider -- I know, for example, for prostitution we have a \$2,000 minimum which for some of our people obviously they can't pay the \$2,600 which it comes out to with the costs. But I don't think it's unreasonable to consider whether this is something that should be perhaps at least double what our minimum is for a simple disorderly conduct or a retail theft or something along that line. So that's my only suggestion tonight is that you might want to consider amending the penalty to I would say at least \$1,000 or whatever you think is appropriate. But just realizing that the \$500 is the minimum maximum for virtually all Village ordinances.

Michael Serpe:

Judge, just a comment on what you said. It's \$500, and then it's \$500 every day. So if it goes on for three or four days you've got a couple thousand dollars.

Dick Ginkowski:

Yes, I know that. But there are some that may not be daily violations. It just gives us a little additional tool. It doesn't necessarily mean it has to be imposed. But it is something that gives the prosecutor and the court a little more leeway to work with if the time comes where let's say, for example, one of these things engages in quite a bit of litigation and it may be necessary to do that. It's up to you, your call, but I just wanted to suggest that we're at the bottom area there, and you might want to consider increasing that slightly.

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Mike Pollocoff:

I will add this is going to increase police work load substantially. I mean we already do a lot now, but now we're keeping track of a broader, bigger, larger area. And we'll be engaging not only with the offenders but the properties. That's one of the differences in this ordinance is that we really want to make sure that the property owners have some skin in the game and make sure it's not like, well, I didn't know who I was renting to. We want to know who they're renting to and be able to report on it. With the Judge's recommendation, if we made it up to \$1,000 that gives him the latitude to think if it's somewhere in between but a \$1,000 could be every day.

Michael Serpe:

I don't have any objection to that either.

John Steinbrink:

We need an amendment to the motion.

Michael Serpe:

I would make that amendment to that motion of \$1,000 a day.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. The motion stands amended. Any further discussion?

SERPE MOVED TO ADOPT ORDINANCE #16-10 TO REPEAL AND RECREATE CHAPTER 287 OF THE MUNICIPAL CODE RELATING TO SEX OFFENDERS WITH THE AMENDMENT TO INCREASE THE PENALTY FROM \$500 TO \$1,000 PER DAY; SECONDED BY KECKLER; MOTION CARRIED 5-0.

C. Consider a Development Agreement between the Village and Route 165, LLC regarding the construction of the second Uline Corporate Office Building.

Mike Pollocoff:

Mr. President, this agreement that's coming to you tonight is actually our third development agreement we've done with Uline. And this one indicates it really spells out the framework for a number of things that are going to happen. One is we're going to be across the Uline site which is off the frontage road. The highway frontage road is going to be widened. If you visualize it now there's a really big deep swale there that's going to be put into an urban profile. Sanitary

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sewer and water is going to be extended across the site to the west. And municipal water is also going to go in the site directly to the north.

So in this development agreement we're providing for sewer and water not only to the Uline Corporate Building, but we're also providing it to additional parcels within the Tax Increment District that haven't developed yet but will be developed. And we don't want to go through and rip up the Uline property if they decide to develop in the future. So that's accommodating this.

This has been a project that's been funded as part of the Tax Increment District. And everything but -- well, the entire cost is going to be carried, but there's approximately \$400,000 which does not fall under the classification of sewer, water, street, public storm sewers, those improvements that are being made that are going to be municipal when they're done. They're going to be site improvements that will benefit the site. That goes as a donation or a grant to the site that will be first on the completion. Everything else is going to be payments that Uline is making to their contractor. And when Uline is ready to turn those in they'll provide us with lien waivers on the work that's being done. We'll be inspecting it along the way, and the payment will be made. So Uline really is in the first place as far as getting design, the Village has approved the design, getting construction, the Village will inspect the construction and then making sure the payments are made.

One of the things that's different about this project in comparison to the other one is that we are putting in or Uline is putting in a fiber optic network that will be kind of modeled after what was once the Village dark fiber network project as part of the TIF District. We've taken that agreement and incorporated it as an exhibit to this agreement wherein there will be a fiber optic conduit that will be the Village's, and it will be in a public right of way that the State owns. The State will give a right of way permit for that to be in there. Uline will construct it at their expense and then maintain it and operate it at their expense. The Village's responsibility will be once we receive those plans is to make sure that gets into the one call system so we know how to locate it, but it will be Uline's to do.

This is a piece of land, just as some background, that was acquired by the Community Development Authority in their blight elimination and redevelopment project. It was the former site of I think it was three or four houses and a military salvage yard that was located there. And that's all been removed and remediated. And, of course, I think the use that they propose is really nice. I think it was a real good process to get it negotiated and get it squared away. When it's all said and done I think they spent more time on it than we did, but we got it done. With us tonight is Brad Folkert [phonetic] from Uline. I don't know if there's anything you want to add to it. You're going them all over the place. Okay. So I'd recommend that the Village Board authorize the Village President and myself to [inaudible] the development agree with Uline for their second office building.

Steve Kumorkiewicz:

I make a motion to approve the development agreement.

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Dave Klimisch:

Second.

John Steinbrink:

Motion by Steve, second by Dave. Further discussion?

KUMORKIEWICZ MOVED TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE AND ROUTE 165, LLC REGARDING THE CONSTRUCTION OF THE SECOND ULINE CORPORATE OFFICE BUILDING; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

John Steinbrink:

Congratulations. Keep building them.

D. Consider Resolution #16-14 authorizing the Second Amendment to the Settlement and Cooperation Agreement between the Village of Bristol and the Village of Pleasant Prairie.

Mike Pollocoff:

Mr. President, this is an agreement where we agree with the Village of Bristol that we take the original document which was a court settlement that the Town of Bristol and the Village of Bristol and the Village of Pleasant Prairie entered into to establish permanent boundaries and how we're going to function there forward. At the time the agreement was done Bristol had committed that there was a roughly 500 acre piece of land. I'm not sure if that's on the map. Yeah, if you look at the maps there's a sewer service area, and that was a Bristol sewer service area. And the commitment at the time that Bristol made was is that there would be no changes in land use in that area. So there would be no new housing, there would be improvement, there would be no development even with existing properties until they had the opportunity to extend sanitary sewer to those sites.

So now we advance a number of years, and at the time I think the Town of Bristol almost a million and a half dollars, and their way of saying that they were good for the million and a half dollars is they wouldn't allow any construction to take place, and that and themselves would be the impetus for people who owned land in that area to develop. Well, nothing developed. But the Town or the Village made payment I think about a year and a half ago to the Village for outstanding debt in that area. So time goes along and Mr. Weiss wants to tear down a house and build another which is a prohibited action under the agreement. So in this agreement that's the first step is we allow that -- we agree that what Bristol said they wouldn't permit to be done before is now permissible. So he's taking one house down and he's putting up another one.

The second item that relates to that and tangentially is the area that was going to service Abbott which is that area between County Trunk Highway U and the current Bristol Village and Pleasant

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Prairie boundary was going to be serviced by Pleasant Prairie as a retail water customer. And then the rest of Bristol would be serviced as a Bristol water customer. Well, as time goes on there might be a change to how Bristol really wants that land to develop over there, it's difficult for the Village of Pleasant Prairie to plan water facilities in another community when we really have no control over how that develops.

It makes it difficult for us to know how much water to send there, at what pressure, at what rate, what time of the day. And those are things that we feel Bristol needs to do for themselves. In other words, if they want to develop that under the current plan which is professional office then that's going to be under a certain design level. If they decide to do it under manufacturing or warehouses that's going to be another level. Because all that development there's two things to consider is how much is water being used and how much fire protection. These are going to be big buildings that require fire protection that almost overrides everything else.

So in my discussions with the Village Administrator in Bristol I said we're more than happy to provide a volume of water once you tell us what it is. And then from that point the water is available, but it's only as far as we're concerned by the way this agreement is structured the boundary between the Village of Pleasant Prairie and the Village of Bristol is the end of the world. We didn't plan for anything in Bristol because we don't know what to plan for. And Bristol hasn't gone through that process to decide what they're going to do. We'll provide it, but it's Bristol's responsibility to come up with a plan to be reviewed to see how much water is going to be used to construct a storage tank, ground tank, fill that up with water, have a booster station, be able to push that water into that area for development and then have an elevated tower for public fire protection.

And the size and the location and what those things can do are dependent on Bristol doing it because it's their land, they can decide how it goes. We'll sell them the bulk water at the volume that we negotiate. So we still have some more work to do on this. But this agreement reflects the fact that the retail water service will not be provided by Pleasant Prairie. It's not that we're not going to provide them with water, but they're going to decide how their own water is going to be used in their own community. We'll deliver it to the jurisdictional line and they buy it from that point and they do whatever they want to do. So with those two things happening, and Kevin Long from Quarrels and Brady has reviewed this with Bristol's attorney, so we both recommend that the agreement be adopted as presented.

Dave Klimisch:

Move approval.

Michael Serpe:

I'll second that.

Mike Pollocoff:

If there's any questions.

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Michael Serpe:

Explain again the water, the breakdown we control the pressures and everything. If they take water from us and they don't do what we're doing how are we going to manage that?

Mike Pollocoff:

Well, we have water right at the boundary. And we don't bring it with a lot of pressure, but we have a large quantity. What we're saying is that -- and it's at two places. It's one up by Uline, and the second one is on C. We're telling them nothing in this agreement says how much water they get. We know that they have approximately 375,000 gallons of sewage capacity, so they can't take much more than that. But you still have to put the water demand on the top of that because that doesn't cover as far as the Great Lakes transfer. So they need to tell us how much they need, when they need it and so forth. And then if we can provide it we will. Other than that we'll say here's what we have available, you guys have to make it work.

And so they may come up with a plan that says Pleasant Prairie says we can give you 100,000 gallons a day. They build a tank that will hold four million gallons of water a day, and they fill it up slowly over time so that they can use it on their own site as they need it. Right now what's lacking from the Bristol standpoint there is no engineering work to say from their standpoint how much water they need, when they need it and where they need it. They just know they want the water. We're saying we can provide some water, but you have to take that responsibility from the jurisdiction line, give us some engineering that shows how much you need, what you're going to need, how you're looking to store that and pump it, and then we can tell you how much we can provide. But our agreement doesn't say - it provides sewer but it doesn't provide water. Because at the time, and it still may be the fact Bristol when we did the agreement they were going to drill wells to apply the water.

Michael Serpe:

How long does this [inaudible].

Mike Pollocoff:

Forever. That's why [inaudible] with the Village President we bring this to a point where we say, okay, you have to tell us what you're going to do. It's your responsibility to provide retail water, and then we'll tell you what we can provide. Because we can provide different levels at certain times without knowing what's going on over there or what they're willing to build. We don't know what to provide.

Kris Keckler:

Is there any concern for liabilities related to proceeding down this path with this agreement and coming to a point where they incur financial costs in building certain things and then there's

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disagreements in the way that they're expecting us to support them or vice versa, and then we have to use some type of arbitration or mediator?

Mike Pollocoff:

Well, there's one thing certain that's going to happen with Bristol and Pleasant Prairie we're going to go to court at some point. I mean it just seems to head that way. And I think the purpose of this agreement was to say on this one we're not providing retail water. If they were to put a main and connect it to ours they wouldn't have any water. John can tell you when I say that's the end of the world that's the end of the world. We basically stop there. Because we didn't design to go beyond it because it's not our community. So if they allow construction or design of buildings to proceed without getting an infrastructure plan together, one, I don't know who'd buy that property or develop on it.

But that's the work that any community has to do is plan within their boundaries and figure out what their infrastructure needs to be and they haven't done that. They need to do that. And it could be we won't be able to provide enough for them. And like I said this agreement doesn't -- we're not obligated to give them water [inaudible]. But we're saying it's possible. I think it's only reasonable to say if we do have the water that's available and it works we'd be willing to sell it. But we're not willing to take on the responsibility and obligation for a blank slate of who knows how much to go where.

Dave Klimisch:

What does the Great Lakes Water Compact say, how far inland can you pipe the Great Lakes water?

Mike Pollocoff:

You can go as far inland as long as the area is within an approved sewer service area, which this is, and the water goes back. So if they take 375,000 gallons of water then that has to go back. Now, there's some different caveats in that because like every sewer main is going to have some groundwater that goes into it. So on some days we send back more than we take in some areas. And then there's also consumptive lots. You think about Niagara, they buy almost a million gallons of water a day from us, but they only send back, and this is at their peak, about 200,000. So that's known as the Miller Brewing Rule. If you're going to bottle something and sell it out that doesn't count even though that water is going to get consumed and used and put back in some lake someplace it might not be here. So there's a lot of different caveats as to how that unfolds. But the basic is whatever you use you've got to send back.

Dave Klimisch:

Then would we sell it at our price?

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Mike Pollocoff:

We'd sell it at a rate set by the Public Service Commission so I have no idea. It wouldn't be our price. You remember we pay for that water to come from 7th Avenue and 80th Street all the way across the Village. So it gets pumped and --

Dave Klimish:

So we buy it from Kenosha at this price, and our sell price would be a touch higher to cover all of our costs?

Mike Pollocoff:

Yeah, well, the Public Service Commission has our cost of service. So they would establish a rate for Bristol that says here's what it costs Pleasant Prairie to provide you water. This much to buy from Kenosha and this much to deliver it to the boundary. So I don't know what that would be. We haven't gotten to that point. We really haven't thought about it because that really wasn't in our plan in the long run.

Michael Serpe:

Move approval of Resolution 16-14.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Dave already moved. We needed a second. Motion by Dave, second by Mike. Now any further discussion on this item? Finally it helps Justin out because he owns a family farm there and he lives on the premise, and unfortunately he was caught in the middle of a court ordered settlement by Bristol the Village. This will allow you to move ahead and build a newer residence on there because I know you want to stay farming and keep your family there. The house you're living in had some water issues. Its ironic this was part of water and the water issues you're working with. Hopefully this will work with you now and you can move ahead.

--:

Thank you, I appreciate it.

John Steinbrink:

You're supposed to be in the field working now. We have a motion and a second. Any further discussion?

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KLIMISCH MOVED TO ADOPT RESOLUTION #16-14 AUTHORIZING THE SECOND AMENDMENT TO THE SETTLEMENT AND COOPERATION AGREEMENT BETWEEN THE VILLAGE OF BRISTOL AND THE VILLAGE OF PLEASANT PRAIRIE AS PRESENTED; SECONDED BY SERPE; MOTION CARRIED 5-0.

- E. Consider an award of contract for Bid Package No. 3 relating to the Roger Prange Equipment Storage project.**

John Steinbrink, Jr.:

Mr. President and members of the Board, this evening I'll be bringing before you the equipment storage at Prange bid package number 3 award of contract. This contract has 12 trades that we are proposing for award. The building itself has a lot of sustainable features including the introduction of natural light, LED lights with occupancy sensors, radiant heat, and the minimum amount of door openings that will really preserve the heat that is inside in the winter months.

The slide that we have shows an architect's rendering of what it will look like when you come off of 31. It's really kind of facing the south shed in the southwest direction. This is a layout of the general positioning of it. When you come in off of Highway 31 the existing parking lot is off to the right of the screen. The original Prange that's existing is up at the top at the north, salt shed off to the west. And so you can kind of see they'll be taking up that green space and about half of that gravel lot to the south. The proposed site is the size of the facility just under 66,000 square foot.

This is the internal layout. It kind of shows how we plan on stacking equipment to get the most amount of vehicles and attachments and trailers within the site. And this is the inside elevations. The top elevation is facing the west with three doors facing the south shed. Next elevation is the south and then to the east and then to the north on the bottom of your screen.

There were 12 trades that we bid out. Without going into detail of every bid from every trade, I'll just go over the highlights of the winning bids for each one. The entire bid package was included in your package that you received. So for concrete foundations Riley Construction came in low at the amount of \$115,250. Miscellaneous metals was Ace Iron \$18,685. General trades, again Riley Construction \$26,080. Roofing Van's Roofing \$212,280. Overhead doors is Consolidated Doors at \$33,302. Glass and glazing was Omni Glass \$47,352. Painting Postorino Decorating at \$30,598. Floor sealer L&A Crystal \$18,900. Fire protection, Design Build Fire Protection \$6,560. Plumbing and HVAC with Lee Plumbing and Mechanical respectively at \$165,525 and \$140,925. Electric was Valiant Electric at \$171,448 for a total bid package award, bid package number 3 ad \$1,036,905.

So just a summary of where we are to date, bid package number 1 approved a couple months ago was the precast walls, and that gets us in queue and that gets that going because there is a long lead time on that was \$577,500. Bid package number 2 was the structural steel for the roof, the trusses, columns, \$537,350. And then this evening's bid package puts us so far at a total package cost of \$2,152,135. The budget amount we had for this project is just under \$3.2 million. All that's left for this is the earth work, the concrete, construction management and design. So we are

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trending to come in at or under budget on this project. And with that said I can answer any questions. And staff does recommend the award of contract for the 12 trades as listed in your bid package.

John Steinbrink:

John, the need for this is from the fact that we have more and more equipment especially when we took on the detail of collecting garbage and that and equipment needs. And this is a lot of sophisticated equipment with a lot of hydraulics and electric over hydraulic, and these things need to work in cold climates. So if we can bring them out of a storage facility they're going to operate better and they're going to last longer because this is equipment that's very expensive and needs to operate on a daily basis basically. That's going to meet your needs for a short time here?

John Steinbrink, Jr.:

A great comment and you're absolutely on track with that. This is going to meet our needs plus an additional 25 percent for growth. We are growing every year. As we get more roads, we get more specialized equipment, more plow trucks, more garbage trucks. And like you talked about with the cold weather we had to keep about a third of our snow plow equipment out in the cold. So when it's ten degrees below zero even though you can plug in the block heater for the engine oil, that hydraulic oil is cold, the hoses are cold, everything it really doesn't function. And it really deteriorates the life of that equipment. So by keeping it inside we are looking to extend the life of the equipment to get the best bang for our capital dollar.

Michael Serpe:

Are you okay with maintenance bays and maintenance facilities with all the equipment we're having? Are we increasing that area?

John Steinbrink, Jr.:

We are taking a couple of the bays that we have in the existing Prange facility and just adding a couple more bays for maintenance. And so those bays that are storage now which is just adjacent to the fleet maintenance area will be shifted over into the new storage facility. And so probably about a third of that 23,000 square feet will be for maintenance, inventory, parts, stuff like that.

Michael Serpe:

I would move approval of the bid at \$1,036,905, is that right?

Steve Kumorkiewicz:

Second.

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John Steinbrink:

Motion by Mike, second by Steve. Now is there any final discussion?

SERPE MOVED TO APPROVE THE AWARD OF CONTRACTS FOR THE ROGER PRANGE EQUIPMENT STORAGE PROJECT BID PACKAGE #3 IN THE TOTAL AMOUNT OF \$1,036,905 AS PRESENTED; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

F. Consider a Memorandum of Agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection to conduct Weights and Measures Inspections.

Mike Pollocoff:

Mr. President, this is an annual contract that's sent to us by Wisconsin Weights and Measures. It's the same as previous years although it's gone up \$400 for the businesses in the Village that they're monitoring. So this is a \$5,600 contract. The Village is -- they do check on it but we're still involved in it. So there's another fee that's placed on that to cover the Village's expenses for doing the work.

John Steinbrink:

Who is the Village lead person on this?

Mike Pollocoff:

Mr. Perez.

John Steinbrink:

I know somebody has to be in charge of this and make sure it happens. I don't know whether to say congratulations or not.

Mike Pollocoff:

If there's something out there to be weighed or measured Sandro is there.

Kris Keckler:

Move approval.

Steve Kumorkiewicz:

Second.

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John Steinbrink:

Motion by Kris, second by Steve. Any further discussion?

KECKLER MOVED TO APPROVE A MEMORANDUM OF AGREEMENT WITH THE WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION TO CONDUCT WEIGHTS AND MEASURES INSPECTIONS FOR THE VILLAGE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

G. Consider Ordinance #16-11 to repeal and recreate Chapter 405 of the Municipal Code relating to Design Standards and Construction Specifications. (First Reading)

Matt Fineour:

Mr. President and members of the Board, this is the repeal of the existing Chapter 405 for a new version of the Chapter 405. I have been actually working on this for probably over the past year putting this together. Our existing Chapter 405 is entitled Public Improvement Projects. And what it does is it covers construction specifications for storm sewers, sanitary sewers and roadways. It's not all inclusive. It's missing lots of things in it. It is just a construction specification chapter at this point. The revised Chapter 405 is more of an all inclusive chapter. It's entitled Design Standards and Construction Specifications.

So as I was starting to put this together and meeting with other staff departments and trying to come up with something that's a little bit more all inclusive from a design and construction standpoint, we put together this overall chapter which includes a number of things. When you go through it you'll see that the chapters -- what I'm going to do is kind of go through the chapters, not really read all of them to you, but just kind of give you an overview of this new ordinance. And then next time around, two weeks from now, after you read through it and you have questions you can ask a lot of questions regarding it.

But the Chapter 1 is just the administrative section. And then that's followed by design standards which is section -- Section 2 is the design standards. And that really goes through what a design engineer or developer with a design engineer what we are expecting them to submit as far as design plans. That is the engineering plan standards, plans regarding sanitary sewer systems. And what this chapter does is it kind of gives you the design engineer a list and then incorporated specifications as to what we are looking for from a design perspective on these public improvement projects.

So we have design standards for sanitary sewer, storm sewers and stormwater management, water main, roadways. We have specifications or requirements for grading and erosion control plans, construction and specification manuals and also residential lot plat of surveys and grading certification at the end. One of the new requirements in the plat of surveys is we are proposing or requiring a final as built survey after the property owner builds their home prior to final occupancy. This gives a final survey of the entire site grading-wise. Currently we just require an as built of spot grades around the lot corners and around the lot lines. And that leads to a lot of

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problems because the interior of the lot no one is really checking to make sure that that grading is according and matches the master grading plan.

Section 2 deals with construction matters. And it goes over things that we are actually currently doing right now, but it puts it in an ordinance form. It goes over preconstruction conferences and construction progress meetings which we typically hold right now after a developer designs their projects to get all their approvals. We sit down with them and their representatives along with Village staff representatives and go over the project the way it's going to happen out in the field as far as construction and inspections and that type of thing.

We also have Section 4 which goes over record drawings and as built requirements. And, again, these are things that we're requiring right at the moment, but they're not really totally specified in the ordinance. So we have as built requirements for commercial and industrial properties, record drawing or as built requirements for private residential developments. And also as part of the record drawings and as built we also have requirements for them to submit data so we can update our GIS mapping system.

We have new Village standard construction specifications which goes over the construction specifications. And these are what the contractor actually uses out in the field. So the construction specifications is a manual that the contractor has out in the field that identifies the type of pipe materials, the type of valve materials, the actual things that they need to know when they're out in the field building something, what requirements that they're going to be held to. We also have in there a list of new or Village standard details. In those details, and its part of the design requirements, some of the changes that are occurring in this ordinance is a roadway standard change. Our current residential roadways is 37 feet back to back. That's the width of the roadway, back of curb to back of curb. We're proposing that be reduced to 33 feet back of curb as the roadway width. The reason for that is we're also increasing our requirements as far as the road section. A lot of our existing roads right now are asphalt roads. They're just five inches of asphalt, and some of the older roads are less than five inches. They go from four inches, and I think there's even some roads that are three and a half inches of asphalt. Those roads over time we need to maintain them. And what we're experiencing is we're having a lot of maintenance activities on asphalt roads.

The new roadway standard is a composite road standard. It is a concrete base with an asphalt surface. It's a lot like the industrial section out in LakeView Corporate Park. All those roads have a concrete base with an asphalt wear surface on them. The roads out here on 39th Avenue here that was just built as a composite section it has a concrete base on it and has an asphalt wear surface on top of it. The reason we're doing that is we're finding that those type of roads, especially in the LakeView Corporate Park where trucks are beating over them for many years they've actually held up very well.

And that kind of goes over the entire ordinance for it. What we're doing is the new Chapter 405 is actually a short ordinance that adopts this chapter or the design specifications manual. So it's the entire manual. It's being adopted as part of the ordinance. And it would be made available online and so forth. But it is more like an attachment to the ordinance to be adopted. Along with

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that I'd be happy to answer any questions that we have at this point. But, again, this will be coming back at the next Board meeting for recommendation of adoption.

Dave Klimisch:

This is an impressive amount of work.

Michael Serpe:

You're not kidding.

Dave Klimisch:

This is in line with national standards? Or how did you come up with all the setbacks and delineations?

Matt Fineour:

The design standards are good engineering practice standards. A lot of the stuff is from DOT-type design standards. That would be more like the construction specifications. The construction specifications are based off of DOT specifications, and they're modified for Village specific wants and needs. So all this is modified and tailored to the Village essentially. But the design standards, yes, they are very typical nationally recognized design standards or locally recognized design standards. For sanitary sewer systems, for storm sewer system there are requirements by the DNR and so forth for the design of those systems which we incorporate in here as well as other items that we typically want and need as a Village.

For example, for a sanitary sewer system, a sampling manhole, we require a sampling manhole for all commercial sites, industrial sites and so forth. That sampling manhole is a specific manhole designed by Village staff as to what it is that we want to see out there so John and his crew can take a sample as needed. So it's not a nationally recognized sampling manhole, but it's something that we have locally here that works.

Mike Pollocoff:

What we'll be asking you to do is we'll be providing you with a book that has a copy of the [inaudible] so you guys can take a look at in the next couple of weeks. Then we're looking for final adoption then.

Steve Kumorkiewicz:

This is the first time that we've got [inaudible].

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Mike Pollocoff:

It already exists in the ordinance, but not the level of detail and thoughtfulness that Matt has put into it. This will service us well for quite a few years.

John Steinbrink:

Thank you, Matt. It really protects the Village and especially the taxpayers with standards that are going to make things work well into the future. As you say its good practice.

Kris Keckler:

Are there any current projects that would need to transition this between the first and second reading or final approval that somebody might not be in alignment that would need to be grandfathered in or any conditional projects?

Matt Fineour:

No. A lot of the projects that are going through some of these requirements are already being implemented as far as requirements of certain items during the review process. So like the preconstruction meeting, those type of things, are happening as we're going through. But this kind of gives the ability here for people instead of us telling them what the requirements are as we're going through the review process they have it all at their fingertips ahead of time. It's very easy for a design engineer or a contractor to see it at a time and anticipate what's going to be required as they're developing their project for submittal.

Kris Keckler:

Thank you.

Michael Serpe:

First reading.

John Steinbrink:

Once again, thank you, Matt.

H. Consider appointments to the various Village boards and commissions.

Mike Pollocoff:

Mr. President, I have your recommendations for the following appointments for committees in the Village. Plan Commission we're recommending the reappointment of Thomas Terwall, Wayne Koessl and Judith Juliana for terms to end May 1, 2019. For alternates our recommendation is John Skalbeck, Alternate #1, and Brock Williamson on as a professor at

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Parkside as a natural resources and geological sciences professor. He served a number of terms on the Recreation Commission Brock Williamson is a landscape architect who work in Illinois. He's been on the Park Commission his most recent last term.

On the Park Commission the reappointment of Kris Keckler, Troy Holm, a new individual Dan Klemack who was one of the people that was interviewed, a new person we're recommending, and Cindy Schwab who would be a reappointment. So the reappointments would be Kris Keckler, Troy Holm and Cindy Schwab until May 2, 2018. Dan Klemack is a new appointment until 2018. Jim Bandura and David Klimisch would be Alternates 1 and 2 for the one year appointment for the alternates.

Police and Fire Commission we're recommending that Ms. Terri Harold be reappointed for a term to end in May 1, 2021. Board of Appeals recommending -- we had a partial appointment of Dwayne Pinon, and he's been serving there, and now this would be a full appointment until May 1 of 2019. Sammie Lancia is currently an alternate. We'd be bringing her up to full appointment for a term ending 2019 filling John Braig's vacant seat. And then another person who requested interest in this Commission is Dragan Obradovich for a term also to end May 1, 2019.

For the Board of Review for property tax assessment we're recommending the reappointment of Jill Sikorski until 2021, Bill Morris as a full appointee, he's currently an alternate, until May 1, 2021. And then adding Jim Bilotti as an alternate. That alternate term goes also to May 1, 2021. And then reappointments to the Kenosha Area Convention and Visitor's Bureau, myself, Larry Nelson, Carol Willke and Mark Wistar for terms to end May 1, 2019.

Michael Serpe:

Just a comment. When you get the amount of qualified people that we have on this list it usually indicates that the municipality is running quite well, and people want to be a part of it in some way, shape or form. I don't know everybody on this list but I know most of them, and it's a quality group of people, and I move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion? I'll just echo what Mike said. Mr. Pollocoff and I interviewed these folks, and it was a real good group of people. A lot of expertise especially in areas they wanted to serve in. All of them are residents of the Village that have a real desire to see this Village move ahead in a very positive manner and were very eager to serve. And this is good. And we actually had more applicants than we have positions. So we do have a reserve out there of other people when openings become available.

And we always encourage other people to apply if you have an interest in this or desire to serve. It was very interesting talking to these people and the diversified backgrounds of them. And

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some have lived here a long time, some have lived here only a few years. But all of them had a positive attitude about the Village. They want to raise their families here. They want to live here, and they want to see it moving ahead in a very positive manner. I was very excited to see these people turn out. With that if there's no further discussion we have a motion and a second.

SERPE MOVED TO APPROVE THE FOLLOWING APPOINTMENTS TO THE RESPECTIVE BOARDS AND COMMISSIONS LISTED AND FOR THE TERMS IDENTIFIED:

Plan Commission

Thomas Terwall	Term – May 1, 2019
Wayne Koessl	Term – May 1, 2019
Judith Juliana	Term – May 1, 2019
John Skalbeck (Alternate #1)	Term – May 1, 2017
Brock Williamson (Alternate #2)	Term – May 1, 2017

Park Commission

Kris Keckler	Term – May 1, 2018
Troy Holm	Term – May 1, 2018
Dan Klemack	Term – May 1, 2018
Cindy Schwab	Term – May 1, 2018
Jim Bandura (Alternate #1)	Term – May 1, 2017
David Klimisch (Alternate #2)	Term – May 1, 2017

Police & Fire Commission

Terri Harold	Term – May 1, 2021
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Board of Appeals

Dwayne Pinon	Term – May 1, 2019
Samara "Sammie" Lancia	Term – May 1, 2019
Dragan Obradovich	Term – May 1, 2019

Board of Review

Jill Sikorski (Chairperson)	Term – May 1, 2021
Bill Morris	Term – May 1, 2021
Jim Bilotti (Alternate)	Term – May 1, 2021

Kenosha Area Convention and Visitor's Bureau

Michael Pollocoff	Term – May 1, 2019
Larry Nelson	Term – May 1, 2019

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Carol Willke
Mark A. Wistar

Term – May 1, 2019
Term – May 1, 2019

SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

8. VILLAGE BOARD COMMENTS

John Steinbrink:

Just one. We lost one of the Village's finer residents I'd call him. Rich Oscarson passed away unexpectedly. He was the owner of Kenosha Grounds. He did a lot of work for the Village and especially in the corporate park. He had a business that he grew, him and his wife. The kind of person who you wanted for a neighbor or a friend. And they called him a problem solver, and that's one thing he was. He had a very mild demeanor. Just a great guy and the patience of a saint. And I think everybody is going to miss him. Visitation was this evening, and services will be tomorrow. So that's a guy we're going to miss. Other Board comments?

9. ADJOURNMENT

**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KECKLER;
MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7:50 P.M.**