

**VILLAGE OF PLEASANT PRAIRIE  
PLEASANT PRAIRIE VILLAGE BOARD  
PLEASANT PRAIRIE WATER UTILITY  
PLEASANT PRAIRIE SEWER UTILITY  
9915 - 39th Avenue  
Pleasant Prairie, WI  
August 15, 2016  
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, August 15, 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; Matt Fineour, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, HR and Recreation Director; Dan Honore, IT Director; Brian Smith, Recreation Director; Sandro Perez, Inspection Superintendent and Vesna Savic, Deputy Village Clerk. Twenty citizens attended the meeting.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **A. Presentation of recognition to Dr. Ben Feinzimer and P.A. Ben Kessel for their dedication and valued assistance in preparing the members of the Village of Pleasant Prairie Police and Fire & Rescue Departments relating to Emergency Planning and Rescue Task Force Training.**

Chief Smetana:

Thank you, Mr. President, and members of the Board. It is our distinct honor tonight to honor two individuals who have been instrumental in assisting first the Pleasant Prairie Police Department with in-service training that began back in 2015 on first aid techniques and advanced first aid techniques that typically wouldn't have been involving law enforcement. They brought us down into classrooms, they dedicated their off duty uncompensated time to help us out to instruct us on these tourniquets and circulation bleeding control measures which are a growing concern in the mass casualty events that law enforcement has dealt with across the nation.

Further on down the line Dr. Feinzimer and P.A. Ben Kessel have also assisted us in training of our mass casualty response in our rescue task force training. And that rescue task force it involves bringing the police department officers into situations and now incorporating the fire rescue medics as well. So we are one response into a building or into a warm zone that we can treat individuals right at that site. Sadly we know based on past experience across the country that the faster that aid can reach those victims the better their chances of living remains.

So Dr. Feinzimer and P.A. Kessel have assisted us in a mass casualty event in our response to an active shooter event at the Pleasant Prairie Elementary School in June. So we went through that, we practiced the necessary items to ensure that we're ready and able to respond to those

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situations. And I think myself joined by Chief Doug McElmury from the Fire Department just want to thank, go out and thank Dr. Feinzimer and P.A. Ben Kessel. Ben Kessel couldn't be here tonight, he's working up in Milwaukee, and we're joined here today by Dr. Feinzimer. So in appreciation for your dedication.

In the back of the room is kind of attachment to this. The training we did and the equipment we bought to assist us with this wouldn't have been possible without your support. So on the back table we've got a couple of items that we've been purchasing over the years to prepare us for these mass shooting-type situations or critical situations, mass casualty type situations. So if you want to after the meeting's done you want to take a look at that and see where the Village money is being spent on those items and the this critical training that prepares us for these events. Thank you very much.

John Steinbrink:

All right, thank you, Chiefs. And on behalf of the Village I want to thank all of you for your service and what you do. Not just when the situation arises but your everyday service and what you do. What you do is valuable to all of us in protecting us in making us all feel safe and protected here. Thank you.

Michael Serpe:

John, could I ask a favor? Emily, would you do me a favor and take a picture of the group back there. That's kind of an impressive site with the firefighters and the police officers all standing together. I like that especially today with what's happening. And as much support as we can give these people they deserve it.

Mike Pollocoff:

Get that baby in there, too. There you go.

John Steinbrink:

Once again, thank you, gentlemen.

**B. Commendations for Fire and Rescue Department Personnel.**

Dr. Ben Feinzimer:

As these accommodations become a bit more frequent, I'm both appreciative and a little reluctant. The paramedics/EMS personnel and law enforcement of Pleasant Prairie are amongst the strongest in our region. Their successes should always be recognized and praised. My reluctance is only as a result of the increase in frequency risking a little depreciation of their value. The guys are probably commenting, oh God, Feinzimer is going to give us a plaque again tonight. It's a nice problem to have, though. An EMS system with quarterly recognitions for patients saved from cardiac arrest. It's also a nice feeling to have driving through the Village knowing that if I

was one of these patients that the EMS personnel and police department would be there to take care of me, and I have the greatest chance of recovery as a result of their care.

So with those thoughts in mind along with Chiefs McElmury, Roepke and Longrie, and on behalf of the United Hospital System EMS team, I'm proud to recognize the following members of the Pleasant Prairie Fire Department for their roles in saving the life of a 67 year old male on April 27, 2016. Lieutenant Kevin Mattison. Firemedic Adam Craig. Firemedic Alan Cloherty. Firemedic Dean Holloway. Firemedic Michael Passafaro. Thank you everyone. Thank you.

John Steinbrink:

Once again thank you, gentlemen, for what you do.

## **5. MINUTES OF MEETING - JULY 18, 2016**

Steve Kumorkiewicz:

Move to approve.

Dave Klimisch:

Second.

John Steinbrink:

Motion by Steve, second by Dave. Any additions or corrections?

**KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE JULY 18, VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

## **6. PUBLIC HEARING**

**A. Consider the construction of the 47th Avenue Drainage Improvements in the vicinity of 116th Street and Final Resolution #16-31 approving said project.**

Matt Fineour:

Mr. President and members of the Board, if you recall back in May we had a couple residents come into the Village Board requesting some help regarding solving a longstanding drainage issue along 47th Avenue. The drainage issue is shown kind of on that figure as the blue crosshatched area. That's the area just south of the three lots there just south of 116th Street that is ponding water.

The engineering department reviewed the situation and area drainage and completed a design to resolve this blocked drainage. A preliminary assessment resolution was passed by the Board on July 18th directing the Village Engineer to prepare the engineering report, plans and schedule of proposed assessments. Tonight in your Board packet you will find the engineer's report including Schedule A which is a copy of the plans, schedule B which is a cost of improvements,

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assessment method and rate calculation, and Schedule C which is a schedule of proposed assessments.

The engineering report was mailed to the property owners listed within the assessment schedule. The project consists of a storm sewer running approximately 353 feet south of 116th Street and extending north approximately 300 feet, and it discharges to an existing drainage way just below the pond shown on the map there. We are also as part of this project regarding the drainage way which the storm sewer discharges into.

For a little bit of drainage background, the three lot CSM there was developed in the early 1990s, and if you go to the next slide, prior to the three lots being developed the natural drainage way for the area went straight north through where those lots are developed at this time. The drainage pathway shown as the blue arrows on this map, and you can see the three lots that are kind of dashed in as the future lots that exist today, the drainage from the area south went through those three lots. After the 1990s when this area was developed that drainage way was blocked, and that's why you see ponding water just south of those three lots. Drainage right now will pond in the area shown crosshatched in blue, and eventually will then go into the 116th Street ditch and go north back to essentially the existing drainage pattern that existed before.

The assessment consists of storm sewer assessment levied on those properties that have filled or blocked the historical drainage path causing localized flooding, those properties on which the localized flooding occurs and those properties that upon future development will utilize the storm sewer improvements. The storm sewer assessment is based on a cost per assessable area method. Storm sewer assessment rate is calculated by the assessable project cost divided by the total assessable acreage. The drainage area reduction factor is used to account for the exempted lands for the assessment rate.

The assessable project cost is the total cost of the project minus any exempted costs. For this project we have a couple of exempted costs. One is the removal of the existing ditch culvert storm sewer and associated catch basins that are out there today. And also clearing and grubbing and regarding of the existing downstream drainage way.

The assessable acreage is the total watershed area minus exempted lands. In this project there are some exempted lands which include existing lands within the project watershed boundary that were not associated with the alterations of the historical drainage way, two were developed prior to such alterations, and three in which the storm sewer does not add any additional benefit to the lands when considering their existing and future land use if the natural drainage way had not been altered.

On the map up there the exempted lands are crosshatched in black. They include the lands on the east side of 47th Avenue and lands south, the portion just south of the Ayres property that are currently developed, previously developed. The assessments for this project include both active and deferred assessments. The active assessments were placed on the lands with the assessable watershed that are developed. And the deferred assessments were for lands within the assessable watershed that are vacant and are subject to future development utilizing the proposed storm sewer improvements.

This storm sewer was designed with the expectation that it would resolve the current flooding issues as well as be useful for those vacant lands within that drainage basin for future development. There were some special considerations in this assessment. One is for what is shown as parcel 1 on the map. Lands north of the drainage divide is depicted in the final assessment map which kind of goes across the middle of the property, that dashed line through there, were considered utilized and proposed storm sewer system when developed even though this area currently does not drain to the proposed storm sewer system currently. Upon developing the land the deferred assessment may be adjusted if this area under ultimate development conditions does not utilize the storm sewer.

The images were also awarded to those properties in the amount equal to the stormwater special assessment that was previously levied on properties associated with installation of the ditch culvert that was removed as part of this -- that will be removed as part of this project. Those include the three parcels, the three single family parcels just south of 116th Street.

The total project cost for this project is \$92,450. That takes into consideration all costs. The total assessable project cost which is the total cost minus those exempted costs is \$84,950. The total watershed area was 28.8 acres. And the total assessable acreage was 19.87 acres which is 69 percent of the total. The cost per assessable area was that of the total assessable project cost times the percent reduction rate divided by the assessable project area which came out to be \$2,949.94 per acre.

The deferred assessments on this project are deferred until such time that the specialist -- sorry. The deferred assessments are deferred until those properties are developed or split within that drainage basin boundary. The active assessments are due now, or they can be paid over the Village's schedule of ten years at nine percent annual interest rate. With that I'd open it back up to the public hearing and any questions that you or the audience may have I can answer.

John Steinbrink:

Thank you, Matt. And this being a public hearing I'm going to open it up to the public comment or question. Did we have any signups for the hearing?

Vesna Savic:

The first one is Jeff Yuhas.

Jeff Yuhas:

Hi everyone. Jeff Yuhas, 11626 47th Avenue. I'm in support of this project. It's been long overdue, about 20 years it's been there, over 20 years. I'd like to thank Matt Fineour for doing a wonderful job presenting this to us and guiding us along through this project. I know it wasn't easy. And I hope the Village Board approves this project. Thank you.

Greg West:

My name's Greg West, 11616 47th Avenue. I agree with Jeff, appreciate the Board taking this up and the Village taking up this project. Again, it's been a long time. I do have a couple questions,

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though. One is about this system being utilized for future land development. Is that development anticipating the land north of 116th, or is it the property south of Monica and Jeff Yuhas's property?

Matt Fineour:

The anticipated future development that would drain to that system is essentially the vacant land that's going to be west of your guys' property, really Jay Sorensen's property and also any remaining portions of the Ayres' property that's south and back of you. So all that vacant land would currently -- or under developed conditions would probably drain to that storm sewer system. They would have a detention pond somewhere in that area that would detain the water and discharge to that storm sewer.

Greg West:

Okay. So if the Ayres sell the lot to the south of the Yuhas's what is the elevation of that property and how would that affect the storm sewer just south of the Yuhas property?

Matt Fineour:

Whatever development the Ayres decide to do on their property they've got to go through a process. One is there is a neighborhood plan for that area, and if they're doing something different than the neighborhood plan they'll have to amend that through the process with the community development department. Through the whole process then they'll have to have a plan in place of how they're going to develop the property. So if it's one lot through there they still have to have a drainage and grading plan of how they're addressing the existing storm coming off the lot and as well as how that development is going to work as a whole in that area.

Greg West:

Okay. I guess my question gets back to what elevation would a house, any houses built south of there would it go a foot above the grade of the road or would it be lower or how would that --

Matt Fineour:

If you took a theoretical just south of the Yuhas's it would be at the elevation approximately at the existing houses, it would be above road grade. So that area would have to be filled up to road grade.

Greg West:

And then how would that affect the sewer that's right there?

Matt Fineour:

At that point in time that sewer that drains that low spot they would have to extend it probably further south to wherever the new low spot is going to be.

Greg West:

Okay, that was my question. I appreciate the work you did on the project, too, Matt.

Vesna Savic:

There are no other signed up speakers.

John Steinbrink:

Anyone else wishing to speak? Anyone else wishing to speak? If not, I'm going to close the public hearing and open it up to Board comment or question. Mike?

Michael Serpe:

No comment. The only comment I have is, Matt, great job so far. And I agree with Jeff and Greg a little bit long overdue. But it's here now, and it will be taken care of this fall?

Matt Fineour:

The expectation is this would be constructed by our public works department in October or thereabouts.

Michael Serpe:

And Jeff will give us a sump pump count next spring. Hopefully less than 20,000 a day or whatever it was. Move approval of 16-31.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve for adoption of 16-31. Further discussion?

Dave Klimisch:

Quick question, Matt. The \$50,400 that's deferred indefinitely how is that funded?

Matt Fineour:

It's funded through the stormwater utility, and then it would be reimbursed to the stormwater utility once development occurs and it gets paid.

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Dave Klimisch:

And that's a flat rate so if development's in 50 years it doesn't increase at a certain percent, it will be \$50,414?

Matt Fineour:

That's right, yup.

John Steinbrink:

Further comment or question?

**SERPE MOVED TO ADOPT RESOLUTION #16-31 FOR THE CONSTRUCTION OF 47<sup>TH</sup> AVENUE DRAINAGE IMPROVEMENTS IN THE VICINITY OF 116<sup>TH</sup> STREET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

## **7. CITIZEN COMMENTS**

John Steinbrink:

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

## **8. ADMINISTRATOR'S REPORT – None**

## **9. NEW BUSINESS**

**A. Consider Park Commission recommendation and adopt Resolution #16-30 in Appreciation and Recognition (Posthumous) to Richard Oscarson.**

John Steinbrink, Jr.:

Mr. President and members of the Board, on August 2, 2016 the Village Park Commission met to consider and approve a recommendation to the Board for creation of private construction for the proposed Richard Oscarson Memorial Prairie in Prairie Springs Park by Kenosha Grounds Care. The Park Commission received and considered the following information.

Rich Oscarson, owner and operator of Pleasant Prairie based landscaping company, Kenosha Grounds Care, Inc., passed away unexpectedly on April 12, 2016 at the age of 56, doing what he loved, caring for the environment. Rich along with his wife, Jill, owned and operated Kenosha Grounds Care, Inc. for 26 years. He was a devoted husband, father and grandfather and a highly respected businessman in the area. Rich was known as the go-to person for anyone in the landscaping business in this area and within the region.

His passion for the environment and his high standards of design exceeded common initiatives by the industry helping make Pleasant Prairie a model for exceptional business and municipal landscapes. Kenosha Grounds Care has donated countless hours of time assisting Village staff and has worked on a great number of projects in and for the Village over a span of many years. Kenosha Grounds Care assisted Village crews in FEMA storm and snow cleanup events. They have landscaped numerous recent Village projects such as the rebuild of Fire Station #1, Village Hall renovation and Village roundabouts.

His testament can be seen throughout the Village in the landscaping of residential, commercial and public lands. Kenosha Grounds Care landscaped the RecPlex and Prairie Springs Park and has coordinated the planting of trees for all the memorial programs within the park. It is only fitting that this park becomes the location for a tribute and memorial for Richard Oscarson.

Attached is a map and plan elements for a proposed memorial prairie along the shore of Lake Andrea in Prairie Springs Park. The plan includes a footpath from the Lake Andrea walking path to a proposed reclaimed natural prairie preserve with oak trees, emergent shrubs and a butterfly garden. An etched piece of two by three foot wide granite affixed to a large natural blue stone will serve as the memorial. Three benches will be placed near the stone for people to sit and enjoy the new reclaimed prairie.

A proposed installation is scheduled to be complete by mid-September of this year if passed this evening, and a dedication planned for September 16th. The memorial prairie will be completely funded and installed by Kenosha Grounds Care, LLC, under the supervision of Village staff. Kenosha Grounds Care, LLC, will also maintain the memorial and will begin training Village staff to one day take over maintenance responsibilities of the prairie. The Park Commission recommends and Village staff concurs that the Village Board approve this memorial prairie and pass a resolution for the creation of the Richard Oscarson Memorial Prairie. I can answer any questions at this time.

John Steinbrink:

Any questions? Thank you, John.

Kris Keckler:

Move approval of Resolution 16-30.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Kris, second by Steve. Any questions, comments? I just want to add that there's probably no one more deserving than Rich for this recognition. It's just a shame Rich wasn't here to see it. He'd be the first to say I don't deserve it, and I don't think there's anybody -- well, I can look at Joe Andrea what we did when Joe was alive and how he was able to enjoy what we did. But unlike Joe, Rich was one of those quiet guys. But what he did made such a difference in this community, and the footprint he left is going to be enjoyed by generations. So this is only fitting. And, as I say, I only wish Rich was here to see it.

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Mike Pollocoff:

Mr. President, one of the comments that was made by one of the Park Commissioners, a landscaper, that's her profession, I think was really telling. She indicated that the landscaping community looked up to Rich as setting the bar, and that's the level you tried to achieve as far as the work you completed. Rich was always available to give them help even though they're competitors on telling them how to get things done, the way to make something right, what plant species were doing well, what were doing bad, what would be some methods they want to consider just to make sure that whatever happens here was right.

You don't have to look too far to see Rich's impact on this community. All you have to do is drive through LakeView Corporate Park and look at the level of landscaping that exists in that park. Look at the landscaping again at Prairie Springs Park and what we've just recently completed here. Rich has touched a lot of things in the areas that he specifically did. But as the Park Commissioner noted he's also had a positive impact on other landscapers and made them work up to a standard that they had to compete with, and they were happy to do it.

John Steinbrink:

Thank you, Mike. With that we have a motion and a second. If there's no further discussion those in favor?

**KECKLER MOVED TO CONCUR WITH THE PARK COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #16-30 IN APPRECIATION AND RECOGNITION (POSTHUMOUS) TO RICHARD OSCARSON; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**B. Consider Resolution #16-32 to obtain a cost share grant for the purpose of funding Emerald Ash Borer mitigation projects.**

John Steinbrink, Jr.:

Mr. President and members of the Board, the Wisconsin Regional Planning Commission and the Wisconsin DNR are offering emerald ash borer mitigation grants of up to \$20,000 to municipalities. Funded projects will focus on planting non-host trees to mitigate the impacts of the emerald ash borer and prepare communities for invasion by diversifying their urban and community forests. On behalf of the Village, staff will be submitting an application for this grant.

Staff plans to submit a request for a proposal and contract with a local landscaping company to plant various species of trees according to Village specifications and replace up to 100 ash trees infected with the emerald ash borer that are not responding to treatment. Diversifying species of trees will reduce the financial burden of treating the ash trees for emerald ash borer as well as strengthening the overall stability of the tree population. This diversity will also add aesthetic quality to the community.

Staff will be applying for a \$20,000 grant, and stipulations of the grant require a 25 percent match. We will be allocating \$10,000 in a decision packet out of the 2017 Parks budget for these matching funds. The Village is currently in year two of a three year contract with Trugreen for the treatment of emerald ash borer. The cost to treat all of the ash trees, we have about 1,100 of them within the Village, within the Village right of way over a three year period is just under \$45,000. So we spend on average \$15,000 a year to treat the emerald ash borer.

So this grant if awarded we would take some of the trees that have not been responding well to the treatments, and they will be candidates for the program. Grant applicants will be notified by October 1st of this year. And should the Village be awarded this grant we anticipate planting the new trees in April or May of 2017.

Michael Serpe:

I'm in favor of this grant. What I'm going to say is I don't see a real benefit of continuing the treatment of the ash trees. We're not winning, we're not going to win the war. As the trees get bigger they're going to be more expensive to treat, and there's no light at the end of the tunnel as far as a cure. I would rather see us, it's a budget thing of course, but some of this money that we're spending on the treatment of these ash trees into the replacement like this grant is going to allow us to do.

If there was a chance that we were going to be able to save these trees I'd say, yeah, keep it going. But eventually they're going to succumb, and we're going to spend a lot of money trying to save them. And I would just as soon let nature take its course and replace them with something that's going to be a little more hardy. That's just my suggestion. I'm not going to speak for the Board.

Steve Kumorkiewicz:

I agree with you.

Kris Keckler:

Yeah, my question was related to it's year two of the treatment plan. Do we have any idea if any are responding to that?

John Steinbrink, Jr.:

The treatment of the emerald ash borer is relatively new since the emerald ash borer was just found in Kenosha County which was just a newly quarantined county a couple years ago. And so I can take a little bit of time and do some research to find out the success rate of the treatment within the trees not only in Kenosha County but in other counties within the State. And then based on that I could put together a decision packet and work with Kathy and Mike in the budget process to allocate those funds to tree replacement if that seems to be the most responsible way to go.

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Kris Keckler:

With 1,100 as you stated, and if truly we just get to a point that whether it's three, four, five years down the road that we end up losing all of them, the mixture, and these are all very nice looking trees that you have up on the screen, or the ones that were on there, what's the cost of these in comparison. Are these pretty expensive, or do we get --

John Steinbrink, Jr.:

Planting a new tree is around \$400 for a two inch caliper at the base of the trunk.

Kris Keckler:

And are some of these over a wide range of costs as far as the types?

John Steinbrink, Jr.:

The cost are pretty consistent. It's really just kind of based on the size of the tree. And so \$400 is what we normally use for budgeting purposes for planting. There's still an additional cost for removing the tree and grinding the stump, but those costs are not valid costs for this grant.

Kris Keckler:

Thank you.

Mike Pollocoff:

Rather than deciding tonight, as John indicated we can look at this as a decision package. Really for \$15,000 a year we take care of 1,100. Really the delta is how many of those trees probably we shouldn't bother with or aren't going to make it, and how much time to we buy by spending \$15,000 a year on treating trees? And what's that point where it's not worth it anymore and we start setting up a fund to replace them? And do we do the roadways first, do we do the parks first? Remember there's a lot of residents, and you might remember there's a lot of residents that buy into this program that are doing it at a pretty low rate per tree. Residents are relying on this program to be a place for them to take care of their trees on their property as well. So I think those are all good information items to bring to the Board as a decision packet as part of the budget.

Dave Klimisch:

It looks like it works out to about \$15 a tree per year. If it's \$400 to plant a new tree, depending what the survival rate is we've got a lot of years to work with. So it comes down to a financial decision.

John Steinbrink, Jr.:

Yeah, the really large trees are very expensive. They could be upwards of probably \$800 or \$900 once you get like over a 24 inch caliper tree. The smaller ones are a little bit cheaper to treat because you can do that with just a soil injection. You actually don't have to inject right into the trunk. So there's a wide variation. The staff will go ahead based on your conversation this evening and put together something to review during the budget cycle.

Michael Serpe:

I would move approval of 16-32.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Further discussion? Sometimes if you can buy a little time a natural predator will show up and kind of put an end to these things naturally.

Michael Serpe:

It's called a chainsaw.

John Steinbrink:

That's from a guy with a wood burning furnace. We have a motion and a second. Any further discussion?

**SERPE MOVED TO ADOPT RESOLUTION #16-32 TO OBTAIN A COST SHARE GRANT FOR THE FUNDING OF EMERALD ASH BORER MITIGATION PROJECTS; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

**C. Consider Resolution #16-33 approving and adopting the Automatic Fire/Rescue Mutual Aid Intergovernmental Agreement.**

Chief McElmury:

[Inaudible] Winthrop Harbor, Zion and Newport who we had worked with quite a bit in the past. And we actually joined a group called the Quad 1 North based upon the quadrants of radio frequencies in Lake County. And it's been a very successful relationship. They come up and help us out automatically, and we go down there to help them. So it was at the advice of some of these other agreements we've had before you, the MABAS agreement and so when we've talked with the attorneys down there that we should actually have a specific intergovernmental agreement.

The way that the agreement is written also allows us to have some sub responses in addition to the one we've been doing. And the really important one to us is the agreement with the Newport

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Fire Protection District because they built a fire house right at the corner of the West Frontage Road just south of the State Line. So they're the closest station to some of our area. And we actually have got a small little corner down there that is more than five miles from either fire house, and as a result could potentially have a much higher ISO rating, the highest, 10. We have an ISO rating at 2. lower is better in this case.

We've found through experience and actually some of the Somers B area that we cover as long as we have a written response agreement those people then still get the, if you will, the home department's ISO rate. So in this case even though Newport would be the first one in in areas along 122nd Street that are more than five miles from the station, they'll still get our ISO rating to figure out their insurance. So this agreement has several good layers to it, and I would recommend approval.

Steve Kumorkiewicz:

Move to adopt Resolution 16-33.

Dave Klimisch:

Second.

John Steinbrink:

Motion by Steve, second by Dave. Further discussion?

Dave Klimisch:

Are there any other areas of the Village where this could be looked at for the other corners as well?

Chief McElmury:

This is right now the only one that from an ISO standpoint is more than five miles from the station. And we wouldn't rule out other agreements. We do have an automatic response agreement along the interstate we've had in place actually for over seven years now. It's been very successful that we do with a combination of Kenosha, Bristol and Newport. Depending on where it is we help them, they help us. And it's been very successful in getting the proper amount of apparatus and people up to quickly mitigate any incidents with rigs blocking to protect our people. So it's been very successful there. We're actually meeting tomorrow morning over some other potential I guess you could say expansions and for other types of calls for this.

John Steinbrink:

Motion and a second. No further discussion?

**KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #16-33 TO APPROVE AND ADOPT THE AUTOMATIC FIRE/RESCUE MUTUAL AID INTERGOVERNMENTAL AGREEMENTS; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

John Steinbrink:

Thank you, Chief.

Chief McElmury:

Thank you.

**D. Consider an Agreement for Professional Engineering Construction Management Services related to the 88th Avenue Water Main Extension project.**

John Steinbrink, Jr.:

Mr. President and members of the Board, proposals for the Professional Engineering Construction Management for the 88th Avenue water main extension were received until July 29th, and we only received one response to that from R.A. National and Associates for the amount of \$30,319. We sent it out to a couple of engineering firms, and everyone is really busy right now with the amount of construction that's going on.

We did have an engineer's estimate and very close to that \$30,000, so we're very happy with the amount that came in from R.A. Smith. R.A. Smith has done a lot of other work for the Village. Most recently the Springbrook Road project. They're assisting Village crews on the Sheridan Road project also. So they do have some very competent staff that are very well versed in our specs and everything that we want to have as far as construction management. And I would recommend award of this contract to R.A. Smith for the 88th Avenue water main extension construction management for the amount not to exceed \$30,319.

Michael Serpe:

So moved.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Further discussion?

**SERPE MOVED TO APPROVE AN AGREEMENT FOR PROFESSIONAL ENGINEERING CONSTRUCTION MANAGEMENT SERVICES FOR THE 88<sup>TH</sup> AVENUE WATER MAIN EXTENSION PROJECT; SECONDED BY KECKLER; MOTION CARRIED 5-0.**

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**E. Consider a Professional Service Agreement to conduct a traffic signal warrant analysis located at the intersection of STH 165 and 80th Avenue.**

Matt Fineour:

Mr. President and members of the Board, this is a professional service agreement for a traffic signal warrant analysis for the intersection of 165 and 80th Avenue. This intersection was included in the overall traffic impact analysis for the LakeView Corporate Park that was done in 2014. At that time the traffic counts that were used for the 2014 study were actually 2012 traffic counts. With the development that has occurred over the past four years, and there are some developments asking whether a signal will go in there at some point in time. We're requesting another traffic signal warrant analysis with actually 2016 traffic counts and updated development within the area.

The service agreement with TADI is to do a traffic warrant report and analysis. There's two tasks totaling \$4,123. If task 1 shows that a traffic signal is not warranted at this time, then the warrant report which is task number 2 won't be done. If it shows that a signal is warranted then both tasks will be completed. It's recommended that the Village Board award this contract for task 1 and 2 in the amount of \$6,761.

Michael Serpe:

Does the State pay anything?

Matt Fineour:

For the warrant analysis right now they would not. This would be an update to our study.

Michael Serpe:

Installation is paid for by who?

Matt Fineour:

If a signal is warranted my guess would be the cost would be borne by the Village.

Mike Pollocoff:

They could pay for it but -- well, they'll pay for it, but they'll say we'll pay for it when we have money and they'll never have money. There are some warranted signals out there that they've been waiting years and years and years. This isn't Tax Increment District #2. I mean it's one of the things that we -- otherwise it would be a severe burden on the tax roll.

Michael Serpe:

This is an area sometimes I think that the half a percent sales tax that the County charges could be divvied up with the municipalities a little bit and cover a cost such as this. There's enough money to be divvied up, but. I'd move approval of the award of contract to TADI.

Dave Klimisch:

Second.

John Steinbrink:

Motion by Mike, second by Dave. Further discussion?

Dave Klimisch:

What's the price range of the signal if it gets installed?

Matt Fineour:

Signals generally are around, I can give you a ballpark number, around \$300,000.

John Steinbrink:

Mike, you have to realize that if we had the State pay for it we'd have to cosign the loan. It doesn't always work out. We have a motion and a second. Any further discussion?

**SERPE MOVED TO APPROVE A PROFESSIONAL SERVICE AGREEMENT TO CONDUCT A TRAFFIC SIGNAL WARRANT ANALYSIS AT THE INTERSECTION OF STH 165 AND 80<sup>th</sup> AVENUE; SECONDED BY; MOTION CARRIED 5-0.**

**F. Consider a Professional Service Agreement for a traffic signal design located at STH 165 and the I-94 Southbound Off-ramp.**

Matt Fineour:

Mr. President and members of the Board, unlike the one I just presented this one intersection is warranted for a traffic signal. There was a TIA that was done in 2010 as part of the overall development around the I-94 State Highway 165 and West Frontage Road area that identified a signal to be placed there at such time that a signal was warranted. We've been notified by the DOT that a signal is warranted at this intersection at this time. The agreement with the DOT was that the Village would design and install the traffic signal.

This is a service agreement with R.A. Smith to prepare the traffic signal design and bidding documents for the project. The design service agreement is a time and material contract with an estimate not to exceed \$32,400. It's recommended that the Village award the design and service contract with R.A. Smith for \$32,400. It's expected that this design would be completed this fall and bid out towards the end of this year for spring construction. The cost of this project then would be included in the TID District.

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Mike Pollocoff:

I might add that the other thing is the difference in this project from the other one is at the time we were making the improvements to Highway 165 and Q, in order to get a permit from the State to be able to do that work they required that we agree ahead of time to pay for all the signal improvements. So we agreed to this one. In order to get the Uline development underway the State held this as the object we had to pay for. So we went into it knowingly. So, again, as Matt indicated this is a projected funded by Tax Increment District #2.

Michael Serpe:

What kind of signalization is this going to be here?

Mike Pollocoff:

Nice, very nice.

Michael Serpe:

It's going to be regular traffic signals for three ways then, right?

Matt Fineour:

Yes, three ways.

Michael Serpe:

That's a lot of traffic signals in a small area, condensed area there.

Dave Klimisch:

And that will be in the range of \$300,000?

Matt Fineour:

That would be ballpark, yeah, range.

Michael Serpe:

Send the State a Christmas card when you get done. Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Further discussion?

**SERPE MOVED TO APPROVE A PROFESSIONAL SERVICE AGREEMENT FO A TRAFFIC SIGNAL DESIGN LOCATED AT STH 165 AND THE I-94 SOUTHBOUND OFF-RAMP; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**G. Consider disallowing a claim filed by Peter Rush relating to a damaged vehicle.**

Mike Pollocoff:

Mr. President, we received a claim from Mr. Peter Rush from Hinsdale, Illinois. He was at an event at RecPlex in Prairie Springs Park. And we have sandwich board signs that we put on for event parking and directing people where they go. And at some point one of those signs fell over, and Mr. Rush drove over it and damaged his tire. So he indicated that that was the Village's responsibility to reimburse him for driving over the sandwich board sign. So as we do as required we forwarded that to our insurance company for them to evaluate. They determined, and I concur with this, that we weren't negligent. As soon as we see those things go down somebody gets them up. But if someone decides to drive over them they're going to incur some damage with it. So they're recommending and I as well recommend that we deny this claim and forward the results to Mr. Rush to start the time period where he could file action against the insurance company if he needs to.

Kris Keckler:

Move approval to deny the claim.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Kris, second by Steve. Further discussion?

**KECKLER MOVED TO DISALLOW THE CLAIM FILED BY PETER RUSH; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

**H. Consider 2016 Halloween Trick or Treat Date and Time.**

John Steinbrink:

I thought this was kind of early. But then when you go to Costco and other stores all the costumes are out and the big pumpkins are out so I guess it's the time.

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Mike Pollocoff:

Yeah, this is the one we've all been waiting for. If you think back in order to get some more feedback we put this out on open Village Hall. And out of 176 individuals who visited the topic 131 left feedback regarding a date and time. Of the 131 pieces of feedback 63 percent were on form and 60 percent were off form meaning you need to complete a form so we're sure where you live and it's a legitimate response.

Of the on form feedback the tally showed that 33 of 63 respondents preferred to have trick or treat on Sunday prior to Halloween from 3 to 6. Feedback revealed that 30 of 63 respondents preferred to have trick or treat from 4 to 7. One of the respondents resides in the City of Kenosha while the remaining ones are in Pleasant Prairie. So true to democracy it's almost an even split for who preferred to have it at night or in the afternoon.

If you go through the form comments, I think it was interesting about how many people made a comment that although it's nice to do it at night when you were a kid, the safety considerations of doing this while it was still light, doing it on a Sunday so that people aren't running home from work trying to get the kids out at four o'clock and trying to get that done. I think from a staff perspective and the police department or anybody else we prefer to do this during the daytime. Not that Sundays are great. But if you go to creep into the nighttime slots then you start entering into a whole new recommendation. So it would be my recommendation and based on the comments by a spread of four votes from residents that we stick with the traditional schedule of 3 to 6 on the Sunday before Halloween.

Dave Klimisch:

The safety concerns trump everything else in my mind. Little goblins in the dark are hard to see.

Kris Keckler:

Yeah, I read through the comments, and those that were left wanting to move it to Monday to match Kenosha and also honor Halloween there were several related to the fact that for the safety concern the parents really are responsible and they should be watching their kids. But I don't necessarily agree with that. Yes, I obviously think they're the primaries, but here we honored two outstanding units for the Village tonight based on the service and attention to detail and preventive care, and it's just a shame that we would want to gamble that, then lo and behold people are claiming why didn't we do a better job of servicing and providing safe passage. So I don't readily put that in a valid argument just to allow it on Halloween night. So I'd prefer it on Sunday as well.

Michael Serpe:

I move to concur with the Administrator's recommendation and keep it on Sunday from 3 to 6.

Dave Klimisch:

Second.

John Steinbrink:

Motion by Mike, second by Dave. Any further discussion?

**SERPE MOVED TO SCHEDULE TRICK OR TREAT IN THE VILLAGE ON SUNDAY OCTOBER 30, 2016 FROM 3-6PM; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.**

Mike Pollocoff:

I have one more piece of information. I'd like to request that the Village Board at our next meeting which would be September 6th, Tuesday, we're going to be one day off because of the Labor Day Holiday, I'd like the Board to meet in Executive Session with legal counsel. If we could meet before the Board meeting so that counsel can give you some advice on items on the agenda. That would be at five o'clock. So if you could make plans to get here a little bit early that would be great.

John Steinbrink:

One question, Mike. I notice an item missing on here. We always had Village Board comments and that's been absent. Is there a reason for that?

Mike Pollocoff:

Well, we wanted the meetings to go fast. I don't know. That's probably just a slip up. I'll make sure it's on the next one. But as the Chair you can insert whatever you want on there.

John Steinbrink:

Anybody have anything they wish to add?

Dave Klimisch:

I recently spent some time with public works and out IT tech department. And I'm reminded of the phenomenal amount of work that goes on every day seamlessly. The team that John's got over at public works and that Dan's got in technology it was amazing to see how much was done. I was training today on the threats that come in every day via technology via the web. And I don't notice it, most of it probably don't even notice it. But the tech people are always anticipating, updating, firewalls, passwords. There's a lot that happens. And public works every day rain and shine, picking up 600 or 1,000 garbage cans plus the road crews plus the trees. Other departments do it as well so I applaud our staff as usual.

## **10. ADJOURNMENT**

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Michael Serpe:

Could I move to adjourn?

John Steinbrink:

Usually you do, yes.

Michael Serpe:

I'd like to do that.

Dave Klimisch:

Second.

**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KLIMISCH;  
MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7:02 P.M.**