

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
July 18, 2016
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, July 18, 2016. Meeting called to order at 6:00 p.m. Present were Village Board members Mike Serpe, President Pro Tem; Kris Keckler and Steve Kumorkiewicz. John Steinbrink and Dave Klimisch were excused. 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; Brian Smith, Recreation Director; Dan Honore, IT Director and Vesna Savic, Deputy Village Clerk. Eighteen citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

Michael Serpe:

Before we start tonight's agenda, I'd just like to make a brief statement. In the last week the police officers of this country have apparently come under attack. For what reason we can only speculate and guess but it's not good. And having five murdered in the last week is just unacceptable. And with that I'd like to ask for a moment of silence for the five fallen officers. Thank you. I think it was more than five.

- 4. VFW POST 7308 PRESENTATION OF LOCAL AND NATIONAL PUBLIC SERVANT AWARDS TO A VILLAGE EMERGENCY MEDICAL TECHNICIAN, FIREFIGHTER AND LAW ENFORCEMENT OFFICER.**

Michael Serpe:

Who is going to make that presentation?

Randy Strickland:

Good evening. I am Randy Strickland. I am the District One Commander of the Veterans of Foreign Wars Southeastern Wisconsin. I have with me State Commander Michael Eggleston and our new Post Commander from 7308 George Stoeber. And tonight we come here as we've done in the past proudly comes here to recognize our law enforcement, our firefighters and our EMS personnel.

We work with the Fire Chief and the Police Chief to get these recommendations of their personnel, and then we fill out an application, send it off to state who then sends it off to national to receive this recognition. These types of things are done across the state; different VFW posts are doing this. I believe this year, again, we're the only ones that received national recognition for Pleasant Prairie. So Pleasant Prairie Post 7308 is also proud to be your all American post one more time this year. So the fourth year in a row we've been selected as all American. So it's something that we're proud of and we hope that you're proud of.

So I'd like to present a Certificate of Appreciation awarded to Lieutenant Paul D. Marik in grateful recognition of unyielding adherence to the highest ideals of law enforcement in maintaining, preserving and protecting the lawful rights of all citizens. This is from VFW Post 7308.

Michael Serpe:

You can tell Paul's moving up in the ranks, the gray hair is starting to show.

Randy Strickland:

Okay, we'd like to present the VFW National Law Enforcement Award awarded to Lieutenant of Police Paul D. Marik in recognition and sincere appreciation of his dedication and selfless service to the Village of Pleasant Prairie. During Paul Marik's outstanding career he has maintained a record of highly professional and exemplary service to the community and the nation. His extraordinary commitment clearly illustrates the proud core values and traditions of the law enforcement profession further highlighted by the degree of admiration and respect of both his peers and the local public he serves. Lieutenant of Police Paul D. Marik is truly an exceptional example of all who wear the badge, and this honor reflects the proud ideals and high standards of the Veterans of Foreign Wars of the United States.

Michael Serpe:

Congratulations, Paul.

Randy Strickland:

Okay, we would like to offer a Certificate of Commendation awarded to Nathan P. Konkol, I hope I didn't mess that up, in special recognition of exemplary service to humanity by administering emergency medical assistance from 7308.

VFW National Emergency Medical Technician Awarded to Fire Medic Nathan P. Konkol in recognition and utmost appreciation of his dedication and selfless service to the Village of Pleasant Prairie. During Nathan Konkol's outstanding career he has demonstrated a record of extraordinary and courageous service to the community and the nation. His exceptional devotion is illustrative of the esteemed core values and traditions of the profession of emergency responders further evidenced by the high degree of admiration and respect from both his peers and the local public he serves. Firemedic Nathan P. Konkol is truly a premier example of all the EMTs, and this honor reflects the proudest ideals and values of the Veterans of Foreign Wars of the United States.

Certificate of Appreciation awarded to Lieutenant Thomas Clark in special recognition and highest praise for alertness, personal courage and ever efficient guardianship of life and property from Post 7308. The Chief is accepting on his behalf. The VFW National Firefighter Award is awarded to Lieutenant Thomas J. Clark in recognition and utmost appreciation of his dedication and selfless service to the Village of Pleasant Prairie. During Thomas Clark's outstanding career he has displayed an exceptional record of exemplary and courageous service to the community and the nation. His extraordinary commitment is in keeping with the esteemed core values and traditions of the firefighter profession further manifested by the high degree of admiration and respect of both his peers and the local public he services. Lieutenant Thomas J. Clark is truly a role model to all firefighters, and this honor reflects the proudest ideals of the Veterans of Foreign Wars of the United States.

We'd like to thank everyone for letting us come here and do this tonight. It makes us proud to be a part of this community. Thank you.

Michael Serpe:

Thank you, Randy.

5. MINUTES OF MEETINGS - JUNE 6 AND JUNE 20, 2016.

Kris Keckler:

Move approval of the June 6th minutes.

Steve Kumorkiewicz:

Second.

Michael Serpe:

Motion by Kris, second by Steve for the approval of the minutes. All those in favor say aye.

KECKLER MOVED TO APPROVE THE MINUTES OF THE JUNE 6TH VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 3-0.

Kris Keckler:

Move approval of the June 20th minutes.

Steve Kumorkiewicz:

Second.

Steve Kumorkiewicz:

What was that?

Kris Keckler:

For the June 20th minutes.

Michael Serpe:

I thought we did them both. I'm sorry.

Steve Kumorkiewicz:

Second.

Michael Serpe:

Okay, motion made and seconded for June 20th. All those in favor say aye.

KECKLER MOVED TO APPROVE THE MINUTES OF THE JUNE 20TH VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 3-0.

6. CITIZEN COMMENTS (PLEASE BE ADVISED PER STATE STATUTE SECTION 19.84(2), INFORMATION WILL BE RECEIVED FROM THE PUBLIC AND THERE MAY BE LIMITED DISCUSSION ON THE INFORMATION RECEIVED. HOWEVER, NO ACTION WILL BE TAKEN UNDER PUBLIC COMMENTS.)

Michael Serpe:

Vesna, is there a signup?

Vesna Savic:

No.

Michael Serpe:

Is there anybody wishing to speak on citizens' comments? Anybody wishing to speak? Hearing none we'll close that.

7. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Mr. President one of the burning issues that we're going to be facing this next couple weeks is when do we set trick or treat hours. The question is this year if we follow our existing practice would be Sunday October 30th from three to six on that Sunday afternoon. The Village and as a town we've always done it on Sunday afternoons because it's still light, there's no sidewalks, things like that. The City is doing it the next day at four until seven Monday night. We've had

concerns from residents who felt like kids from the City come to the Village, clean up, and then go back to the City the next day.

So what we've done is we put a question out to Open Village Hall and requesting people to go on there and cast their vote for it to be the time in the Village, the City or buy a bag of candy for the kids and call it a day. So we'll get some feedback, and then we'll look at setting the date here at our second meeting in August.

Michael Serpe:

People forget why we set the hours on Sunday from three to six. Years ago during trick or treat nights it wasn't a fun night to be a cop. It wasn't a fun night for parents. And inclement weather was more concerning than anything. It's for the safety of the kids, and that's got to be taken into consideration. And I don't know what we're going to be doing on this and how the vote's going to come out. But I certainly don't feel like changing from daylight hours on a Sunday from three to six. I don't want to speak for the rest of the Board but that's just my opinion.

8. NEW BUSINESS

A. Receive the Kenosha Area Convention and Visitors Bureau 2015 Annual Report.

Dennis DuChene:

Good evening everybody. Thank you for having me here. 2015 was a record year for the Convention and Visitors Bureau. Visitor spending topped out at \$196.6 million which was an 8.1 percent increase over the previous year. If you look back to 2010 through 2015 we've had an average growth of 6.4 percent. And if you have any other questions on the report I'd be happy to answer that. But I wanted to keep my comments brief and just highlight on a couple of things.

Probably the biggest accomplishment both personally and professionally for me in 2015 was the hosting of the Upper Great Lakes Regional Championships and the IcePlex or Pleasant Prairie RecPlex or IcePlex. That was an event that was 11 years in the making, and we were quite proud to have it. And the folks from U.S. Figure Skating were extremely happy with not only the facility but the group of volunteers we had from the Cutting Edge Figure Skating Club as well as the Southport Figure Skating Club.

And then just to touch on some current events, the Aqua Arena will be hosting the Silver State Championship for Wisconsin this coming weekend. The weekend after that they'll be hosting the Illinois Age Group Championships. And then the weekend after that we'll be hosting the 13 and over Wisconsin State Championships. All in all there's 30 plus events in the Aqua Arena. It gives not only athletes in Wisconsin but more importantly locally an opportunity to showcase their skills. And as a result of your commitment to developing that facility we have a number of athletes that are swimming in college now, more that will continue to come. And I'm confident with the team that you have out there now that's only going to continue to grow and give kids an opportunity to reach their dream in terms of swimming as well as getting an education and being able to go on with the rest of their life. So with that if you have any questions for concerns.

Michael Serpe:

Just a comment. Dennis, the City and Pleasant Prairie offer a large number of activities throughout the summer. I'm just curious when something is held at the RecPlex, whether it's an ice meet or swim meet or state volleyball or whatever it is, it attracts people from the Midwest really.

Dennis DuChene:

Actually some of them are national as well.

Michael Serpe:

Okay, right. And the City of Kenosha does a fine job on the lake. They have activities all year long. Mostly that's the people in the immediate area attending those things or am I wrong on that?

Dennis DuChene:

Most of the lakefront events have a regional draw. It's kind of one of the reasons we partner with them to develop them. One of the reasons that it's a little more successful in the City is there's just more service clubs. So, for example, the Taste of Wisconsin event is run by the Western Kiwanis as an example. So it is something that we have in our mind at the bureau to try and get some more non sporting-related events in the Village. Kind of the challenge there is finding a volunteer group to do it.

Michael Serpe:

I guess what I'm saying is there's a lot of dollars generated from activities at the RecPlex, the hotels, the shopping. I mean we don't have a breakdown on that do we?

Dennis DuChene:

Room tax-wise you can kind of look at it in terms of what's contributed. And it's fairly equal. I mean since I've been at the bureau Pleasant Prairie has been ahead in the room tax collections. Recently I think the City's pretty close with the addition of the Hampton Inn.

Michael Serpe:

I guess what I'm pushing for is a little more recognition for Pleasant Prairie.

Dennis DuChene:

I totally agree with you there. But in terms of the USA Swimming Community they certainly know Pleasant Prairie, Wisconsin. And I say USA Swimming because it's the entire country, not just Wisconsin. In some regard USA Swimming respects the RecPlex more than Wisconsin Swimming. And I think the same thing holds true now with U.S. Figure Skating. Now that we've brought folks in from the Midwest for a regional championship, and we had some of the

officers from U.S. Figure Skating here they recognize the investment you made in the community and they see the effort. So while day-to-day you may not get the recognition that the Village deserves, I think within these niche markets you are certainly well recognized and respected.

Michael Serpe:

Appreciate that. Thanks, Dennis.

Kris Keckler:

I just had a question. In relation to the delicate balance between enticing other entities to come and take advantage of whether it's a Pleasant Prairie or Kenosha Activity, and marrying that with the infrastructure and the hotel structure to service those, has it been pretty consistent? Are we getting any feedback related to issues with just trying to attend to the masses, be it food and beverage consumption or hotel stays? I know we have the Hampton, and it's nice to see that the Lakefront Best Western is finally back up and running and back to being open again. But I don't just want to just inherently assume that the needs are applicable throughout the year. I know that sometimes it's seasonal based on the activities or events and room allocation. But has there been any struggle points?

Dennis DuChene:

I think the biggest thing we've learned over the years, and we basically learned this through the Danskin Triathlon, is there's a certain size event that fits in our community. And we kind of know that now and we've learned those lessons. Years ago we wanted to have the biggest and the best and the greatest event, and we still want to do that but within the confines of our community. We have to be respectful of the neighborhoods and how long roads are closed, how often you're using a facility, trying to adjust the hours of the facility like for the pool, for example. You know if we don't start warmups until eight o'clock members can still swim six to eight on weekends. I mean just being respectful. In terms of a need I think hotel room-wise depending on what we have in town it can be challenging. But there's properties within 20 minutes. So on those occasions where we are oversold in the Kenosha area we're fine.

Kris Keckler:

That's good. It was a very nice report. It's nice to see a lot of the events and occasions are annual or repetitive and not just singular in nature. But it's nice to see some of those as well.

Dennis DuChene:

And that's the focus is creating sustainable events. Whether it's a sporting event or a festival it's like we want to start something and keep it going. And most of the events we're involved in, again, it's tied to a local nonprofit. So more often than not it's the fundraising mechanism for that group, and those dollars are just reinvested in the community.

Kris Keckler:

Thank you.

Michael Serpe:

Thanks, Dennis. Thank you very much.

B. Receive Plan Commission recommendation and consider Ordinance #16-26 for a Zoning Text Amendment for the property located 9511 81st Street to amend the Planned Unit Development (PUD).

Jean Werbie-Harris:

Trustee Serpe and members of the Board, this is zoning text amendment request Ordinance #16-26, and this is at the request of Lexington Homes or Skyline Towers, LLC for the property at 9511 81st Street. On June 6th the Board had approved the Skyline Towers apartment planned unit development Ordinance 16-14 for the proposed development. But upon submittal of the revised plans that were more clearly dimensioned it appeared that the decks adjacent to both 94th Avenue and 97th Court were less than the required 35 foot setback from the property lines. While we did review the initial plans, the dimension plans brought in that setback at about 30 feet.

So the staff is recommending and the Plan Commission has approved that there be a setback of 30 feet for the decks to the property lines adjacent to both 94th Avenue and 97th Court. And there was a public hearing before the Plan Commission, and they recommended approval. The building and foundations still will meet the required setback at 35 foot per the original PUD.

Michael Serpe:

Gentlemen?

Steve Kumorkiewicz:

I make a motion to adopt the zoning text amendment Ordinance 16-26.

Kris Keckler:

Second.

Michael Serpe:

Motion by Steve, second by Kris for approval of 16-26. All those in favor say aye.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #16-26 FOR A ZONING TEXT AMENDMENT FOR THE PROPERTY LOCATED 9511 81ST STREET TO AMEND THE PLANNED UNIT DEVELOPMENT (PUD); SECONDED BY KECKLER; MOTION CARRIED 3-0.

C. Consider Resolution #16-28 - Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers in connection with the construction of 47th Avenue Drainage Improvements in the vicinity of 116th Street.

Matt Fineour:

Trustee Serpe and members of the Board, if you recall back in late spring there was a request for the Village to look into the drainage problem that's just south of 116th Street on 47th Avenue there. Over the past month, month and a half the engineering department has been looking into this issue and has come up with a design to resolve it. This preliminary resolution is to get the assessment process started.

The map in front of you kind of highlights the area in red which is the flooding area that currently floods there. If you go to maybe the next slide, back in I think it was the early '90s the properties that are just south of 116th Street on 47th Avenue were developed. The drainage in the entire area back in the historic drainage used to go through where those properties are at. When those properties were developed it actually blocked that drainage. Go to the next slide. That blocked drainage, and this slide it's shown in the blue cross-hatched area. Water gets trapped there until it gets to a level that it actually overflows into the ditch line and then heads farther north.

One more slide. This is kind of the overview of the project that we are proposing on initiating. The storm sewer would go from just north of 116th Street; it would discharge into a drainage ditch there and then extend south. And we'd actually provide an inlet for that low spot to drain out. In order to accomplish this project we have to have an agreement with a couple property owners. The Sorenson property which is just on the north side, where we are recreating that ditch is on the Sorenson property. We've talked to Jay Sorenson himself whether that would be okay with him.

We also are extending the ditching a little bit onto the Milholland's property in order to get that whole area to drain. So it takes those two property owners along with the [inaudible] property which is where it actually floods currently. So that's the overview of the project. The storm sewer is 24 inches in size there to drain the lower area. And it would also be utilized in the future for future development in that area. Again, this is the preliminary resolution in order to get the assessment process going. We'll come back to the Board in probably mid-August with a final assessment for the project.

Michael Serpe:

Approving this resolution will only set the public hearing. What's your pleasure?

Kris Keckler:

Move approval of 16-28.

Steve Kumorkiewicz:

Second.

Michael Serpe:

Motion made and seconded for 16-18 approval. All those in favor say aye.

KECKLER MOVED TO ADOPT RESOLUTION #16-28 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS IN CONNECTION WITH THE CONSTRUCTION OF 47TH AVENUE DRAINAGE IMPROVEMENTS IN THE VICINITY OF 116TH STREET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 3-0.

D. Consider Resolution#16-29 - terminating the Intergovernmental Agreement that created the Lake and McHenry Counties Fire Departments Specialized Response Teams (SRT).

Chief McElmury:

Trustee Serpe and members of the Board, back in 2003 the Fire and Rescue Department joined the Lake County Specialized Response Teams in order to beef up our own ability to respond to these specialized types of emergencies. That organization expanded back in 2005 and '06 and actually included McHenry County, Illinois also. And through time one of the things that the MABAS Illinois Organization does is it provides grants. Through grants it provides training, equipment and everything to the different divisions and their teams. But unfortunately because the two divisions were together they really only got one team share even though it was two of the actually largest and busiest MABAS divisions in the State of Illinois. So it was determined that a change in the intergovernmental agreement and the governance model was needed so that we could realize what truly should be coming to the team.

So in 2005 the idea of basically getting rid of the intergovernmental agreement for the Lake and McHenry specialized response team and simply following the MABAS model of the Division 4 and 5 team was born and actually took effect January 1 of this year. And the attorney for MABAS Illinois just recommends that each of the governments involved in this agreement recognizes that basically the intergovernment agreement now is done and we're part of Division 4 in addition to being a MABAS division in Wisconsin. So we get all of our response then through the MABAS division now. If there's any questions I can answer them.

Michael Serpe:

So we have the new one in place, and this one just is now eliminated?

Chief McElmury:

Yup, exactly. Really no significant changes, still a joint committee that runs both teams. We train together, everything else is the same.

Steve Kumorkiewicz:

[Inaudible] Illinois get money from the state and we don't basically.

Chief McElmury:

Well, this is in Illinois, though.

Steve Kumorkiewicz:

They get the money over there, we don't.

Chief McElmury:

You're right. In Wisconsin the grants are pretty well dried up for the fire and rescue departments, yes.

Michael Serpe:

Wisconsin might be dried up, Illinois is upside down.

Kris Keckler:

Move approval as recommended.

Steve Kumorkiewicz:

Second.

Michael Serpe:

Motion made and seconded for adoption of 16-29. All those in favor say aye.

KECKLER MOVED TO ADOPT RESOLUTION#16-29 - TERMINATING THE INTERGOVERNMENTAL AGREEMENT THAT CREATED THE LAKE AND MCHENRY COUNTIES FIRE DEPARTMENTS SPECIALIZED RESPONSE TEAMS (SRT); SECONDED BY KUMORKIEWICZ; MOTION CARRIED 3-0.

E. Consider an Amendment to the Design Service Agreement with RA Smith National, Inc., for the Chateau Subdivision Storm Water Improvements.

Matt Fineour:

Trustee Serpe, members of the Board, this is an amendment to the design service contract with RA Smith regarding Chateau Eau Plaines subdivision stormwater improvements. The original contract was approved last September in 2015. Since then they did a wetland delineation for the entire project area last September. Wetland delineation is required on this size project to determine if there's any wetlands near the project area.

RA Smith delineated the wetlands last September with a DNR assured delineator which means that that's a person that can delineate wetlands on behalf of the Village for the DNR, and they do not need to have it checked by the DNR. So it's an assured delineation program that allows somebody to do a wetland delineation and submit it to the DNR, and in theory you're supposed to

be able to then have an approved wetland delineation without the DNR coming back out and looking at the site.

Over the winter we did a preliminary design of the Chateau Eau Plaines storm sewer system, and this spring we had a meeting with the DNR and Army Corps to go over our tentative plans in the project area and our thoughts for stormwater improvements in the area. That meeting occurred on June 7th of this summer. As part of that meeting we went out onsite and looked at the project area with the Army Corps and DNR. And at that time they brought up some concerns that not all the ditches in that area were delineated with wetlands, they thought there was more wetlands on the site than what was delineated.

If you go to the next slide. At the time in June the area was still wet from the spring rains a little bit. Ditches were a little bit soggy. Sump pump lines were discharged. The pictures here are typical ditch lines that they were looking at, and they were thinking that these were still wetlands within the ditches. These two pictures here, there are two pictures of what you see there on the top and on my left there. They're ditches that were delineated as wetlands originally. The remaining pictures that were on the slides are ditch lines that were not delineated as wetlands by the assured delineator. But Army Corps and DNR questioned those ditch lines.

If you look at the top picture there, the one with the retaining wall, that is where actually the Army Corps and DNR stopped that, and they all looked at that ditch line. And that ditch there had standing water in it. And although you can't see it in that picture there's a sump line that discharges right through the retaining wall that's keeping that ditch wet. In asking what their requirements were if they were not going to accept that original wetland delineation, they requested that the Village re-delineate the entire project area another time to see if more wetlands are there than originally.

When pressed and asked a little bit further, they thought that last September was a drier month, and that when they were out there in June it was wetter and had more wetland characteristics. I asked RA Smith then to give us an amendment what it would take for them to redelineate this project area, and that's what's before the Board this evening. The original wetland delineation, again, was done by an assured delineator. From staff's point of view that original wetland delineation was fair. I don't think there was really any missed wetlands at least at the time. And I don't know if I would question the results of that original wetland delineation.

This has impacts in the sense that if there are more wetlands out on the area then it may reclassify what permits are needed to the project. And also if you can get into a category of whether wetlands impacts need mitigation or mitigation costs as part of the project. This has substantial impacts in the sense that mitigation costs typically right now run about \$60,000 an acre in mitigation costs if you have to mitigate for wetland impact. This is a roadside ditch line which potentially has exemptions through the DNR which means that DNR may exempt some wetlands within road ditches. The Army Corps does not have such an exemption. So they fell like a wetland within anywhere whether it's a ditch or anything is a wetland, period.

So this agreement here is for a second delineation. That delineation would occur in August here in the next couple weeks if approved. And then we would come up with another delineation that would hopefully then satisfy the DNR and Army Corps that there either is no more wetlands or if more wetlands are picked up and they're satisfied with that either way. This is a difficult process

from a design standpoint from the sense that the engineer in me looks at these roadside ditches and they're part of the overall subdivision drainage system.

So the roadway out there is a rural profile roadway which means that the storm sewer conveyance system for the subdivision is roadside ditches. If the subdivision were a curb and gutter subdivision you would not have roadside ditches, and you wouldn't have wetlands in your storm sewer system. These ditches are meant to convey roadway drainage. They're meant to convey drainage that comes out of the sump pumps. They're meant to convey drainage from the front yards or yards of the subdivision. And the idea that those are wetlands and they need permitting and mitigation process and that type of thing is a difficult thing to overcome in a design perspective when it was clearly designed and everything to be a storm water conveyance system. But there are permits that are required for wetland impacts. And, again, this amendment is solely to redelineate and come up with another delineation that would hopefully satisfy everybody as far as the wetland areas out in the subdivision.

Michael Serpe:

Let me ask you this, Matt. Was there any scientific work done by the DNR or the Army Corps for them to make a decision for us to do this again.

Matt Fineour:

No, there was not. Their response to us was based on their field visit that it was wetter, and from aerial photographs that they provided they thought that that area might have periods of wetness that would support a wetland within the road ditches. So other than that they did not do any soil sampling, any other kind of detailed investigation as to whether that original report was accurate.

Michael Serpe:

So we delay a year and spend more money.

Matt Fineour:

Yeah. And wetland delineation whether it's this project or other projects can easily delay a project. I'll give you an example with this project in itself is that the wetlands were delineated last September, they cannot go out and -- the Army Corps or the DNR can't go out and check the wetlands outside the growing season. So it was delineated last September which cut kind of close to the end of the growing season. By the time the report was done and everything we're talking October. Essentially from the end of that growing season their review stops until the next growing season. So if there's an issue out there you have to wait until next May or June for somebody to come out there and look at it.

In this case we go out there in June, there's a question in it, it takes a month to get clarified as to what it is that they want us to do, how do they want us to go proceed as far as delineating the wetlands out there. You have a contract, where today you get a written one, redelineation in August, you get a report back in September, you supply it back to the Army Corps and DNR end of September, beginning of October. Well, guess what, if they have a question on it you're delayed until next spring because the wetland growing season is over. And you submit something to the Army Corps it takes them -- I mean they'll tell you it takes them 65 to 85 days to get a

response. Well, that's an entire almost half the growing season right there. So it is a time consuming process to get permits for wetlands. And when dealing with this it can delay a project very easily.

Mike Pollocoff:

If you think back the reason that we're doing this project is because we have heavy rains which resulted in a million and a half dollars property damage for water that was flooding out damaging property to Chateau Eau Plaines subdivision. It's an older subdivision, and it was really built when we were a town when development review was performed by Kenosha County for public improvements in there. And that's what began us on this trail trying to find a way to mitigate those damages. And to get some people out of the floodplain area, the best improvement we could provide for people there at the lowest possible cost. But we have spent thousands of dollars on engineering studies, and we really have not been able to come to the conclusion where the Army Corps would really still take the [inaudible]. This is not nuisance water. This is not standing water realistic look at flooding verses wetlands. This is damaging property. And they have been -- the Army Corps especially and even the DNR to an extent they've been an obstacle with what I really believe is a public health problem. That's why we've been spending so much money and effort on getting this done. And they don't think anything about holding it up. Not a priority.

Michael Serpe:

That's because they're not footing the bill. Okay. Go ahead, gentlemen, any comments or questions?

Steve Kumorkiewicz:

That's an issue been going on for a long time. So I don't know when [inaudible].

Michael Serpe:

Can't back out now. What's your pleasure.

Mike Pollocoff:

I'd recommend the contract be authorized because [inaudible].

Steve Kumorkiewicz:

Move to adopt.

Kris Keckler:

Second.

Michael Serpe:

Motion and a second to authorize a contract through RA Smith, is that right?

Mike Pollocoff:

Yes.

KUMORKIEWICZ MOVED TO APPROVE AN AMENDMENT TO THE DESIGN SERVICE AGREEMENT WITH RA SMITH NATIONAL, INC., FOR THE CHATEAU SUBDIVISION STORM WATER IMPROVEMENTS; SECONDED BY KECKLER; MOTION CARRIED 3-0.

F. Consider an Award of Construction Contract for 88th Avenue Water Main Extension.

Matt Fineour:

Mr. Serpe and members of the Board, this is an award of contract for the Highway H watermain extension project. This water main is an extension from the existing water main located on 116th Street south to 122nd Street within the Village of Pleasant Prairie. In accordance with the published official notice to bidders sealed bids for the project were received until 2 p.m. on July 7, 2016 at the Village Hall. The bids were opened and publically read aloud.

There was a total of eight bids for the project. The low base bid was from Globe Contractors of Pewaukee, Wisconsin in the amount of \$411,790. The high base bid was submitted by Super Excavators of Menomonee Falls in the amount of \$592,873. Bids were reviewed and Globe contractors was found to be the lowest overall responsive and responsible bidder. It's recommended that the Village Board award the contract to Globe in the amount of \$411,790. If there's any questions I'd be happy to answer them.

Steve Kumorkiewicz:

That's the water main going south to 122nd. Is it going to go east in the [inaudible] subdivision over there or not?

Mike Pollocoff:

There will be a stub there. So at some point in the future when that's requested, but right now it's just a --

Steve Kumorkiewicz:

Just right here. Thank you.

Kris Keckler:

Motion to approve as noted.

Steve Kumorkiewicz:

Second.

Michael Serpe:

Motion made and seconded for approval of the 88th Avenue water project to Globe Contractors for \$411,790. All those in favor say aye.

KECKLER MOVED TO APPROVE AN AWARD OF CONSTRUCTION CONTRACT FOR 88TH AVENUE WATER MAIN EXTENSION; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 3-0.

G. Consider an Award of Contract for the 39th Avenue Retention Basin Utilization Plan.

John Steinbrink, Jr.:

Mr. President Pro Tem and members of the Board, on May 3, 2016, the Village Park Commission met to discuss an approve the design and timetable for Village Green Center parks to develop an RFP. This project was renamed the 39th Avenue retention basin utilization plan as two main retention basins will be in these parcels. On May 24, 2016, an RFP was distributed to six design firms that the Village has used in the past. On Thursday, June 9th, a couple weeks later, sealed bids for the above-referenced project were received.

We did receive two bids, one from Ayres and Associates for just over \$78,000, another one from Smith Group JJR for just over \$140,000 -- actually exactly \$144,000. The evaluation committee comprised of Tom Shircel, the Assistant Village Administrator, Matt Fineour, Village Engineer, Brian Smith, Director of Recreation and myself met to evaluate these two bids that were received.

Just a little bit of history, Smith Group JJR actually did all the conceptual work that you see up on the screen in front of you here. And so they are very familiar with the project. Ayres and Associate's Blake Theisen had done a lot of work for the Village, actually developed our Master Park and Open Space Plan, so we do have a history working with Ayres and Associates. We did meet with Mr. Theisen and the evaluation committee, and we really asked them all the different components of the RFP just to make sure that he had a thorough understanding of what we were asking for. And at the end of that meeting we were very confident that he did have a good understanding of the meeting.

The first thing that we talked about is the spread is almost 100 percent different, and it really just came down to that we believe just in the bid that JJR may have just been busy and just submitted a high price. But we are very confident that Ayres and Associates can complete the project as the Village had request for \$78,078. We did bring this to the Park Commission on July 5, 2016, and they did approve a recommendation to the Village Board of Trustees for an award of contract for this project. And the Village staff concurred with the recommendation that a contract be awarded to Ayres and Associates for design services. I can answer any questions you may have.

Michael Serpe:

Do you recall what the budget amount for this was, John?

Mike Pollocoff:

Approximately \$500,000.

Michael Serpe:

\$500,000, and it comes in at --

Mike Pollocoff:

Yeah, we're way under.

Steve Kumorkiewicz:

Make a motion to issue the contract to Ayres for \$78,078.

Steve Kumorkiewicz:

Second.

Michael Serpe:

Motion made and seconded to award the contract to Ayres Associates for \$78,078. All those in favor say aye.

KUMORKIEWICZ MOVED TO APPROVE AN AWARD OF CONTRACT FOR THE 39TH AVENUE RETENTION BASIN UTILIZATION PLAN; SECONDED BY KECKLER; MOTION CARRIED 3-0.

H. Consider reappointments to the Community Development Authority and the Kenosha Area Chamber of Commerce Board of Directors.

Mike Pollocoff:

Mr. President Pro Tem, it's time to reappoint members to the Authority. The Authority's appoints are defined by statute. So in the case of this year it will be the one year appointments of John Steinbrink as the Village President and Mike Serpe as the President Pro Tem for the CDA. And for the Chamber of Commerce Board of Directors Chris Christenson for a two year term to August 31, 2018.

Steve Kumorkiewicz:

Make a motion to accept the recommendations for the appointments.

Kris Keckler:

Second.

Michael Serpe:

Motion made and seconded for approval of John Steinbrink and Mike Serpe for Community Development and Chris Christenson for Chamber of Commerce. All those in favor say aye.

KUMORKIEWICZ MOVED TO APPROVE REAPPOINTMENTS TO THE COMMUNITY DEVELOPMENT AUTHORITY AND THE KENOSHA AREA CHAMBER OF COMMERCE BOARD OF DIRECTORS; SECONDED BY KECKLER; MOTION CARRIED 3-0.

9. VILLAGE BOARD COMMENTS

Kris Keckler:

Good job, Mike.

10. CONSIDER ENTERING INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1)(G) WIS. STATS. TO CONFER WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.

Michael Serpe:

I think we need a roll call on this.

Kris Keckler:

Motion to go to Executive Session.

Steve Kumorkiewicz:

Second.

Michael Serpe:

Motion made and seconded for Executive Session. Roll Call.

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

Michael Serpe:

We will return only to adjourn. Thank you.

11. RETURN TO OPEN SESSION AND ADJOURNMENT

KECKLER MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 3-0 AND MEETING ADJOURNED AT 7:45 P.M.