

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
April 21, 2014
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, April 21, 2014. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Steve Kumorkiewicz, Clyde Allen and Mike Serpe. Also present were Michael Pollocoff, Village Administrator; Jean Werbie-Harris, Community Development Director; Kathy Goessl, Finance Director; Dave Smetana, Police Chief; Doug McElmury; Fire & Rescue Chief; Mike Spence, Village Engineer; John Steinbrink Jr., Public Works Director; Dan Honore', IT Director; and Jane M. Romanowski, Village Clerk. No citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. VFW POST 7308 PRESENTATION OF LOCAL AND NATIONAL PUBLIC SERVANT AWARDS TO A VILLAGE EMERGENCY MEDICAL TECHNICIAN, FIREFIGHTER AND LAW ENFORCEMENT OFFICER.**

Mike Pollocoff:

Mr. President, I guess I'd call on a representative of the VFW and Chief McElmury and Chief Smetana to come on up.

John Steinbrink:

This is kind of unusual - usually you're getting the awards, now you're giving them here. This is good.

Paul Fredericksen:

We're giving them out. We're not receiving anything. We love to do this. This is a really fun part of what we do. I was a firefighter for about 30 years, and I taught at Gateway. In fact one of the people we're going to give an award to was a student of mine. In fact, I think at one time -- you don't recognize all the faces all the time -- they might have all been in my HAZMAT class or something. But emergency response is a really big thing.

People call firefighters, police officers, EMTs, paramedics, all kinds of emergency responders to their emergencies. An emergency is when chaos reigns, and they're asking you when they call you to get control of this chaos. When things go really well they say thanks, then you go back and hopefully no one was injured. Hopefully no firefighter or police officer was injured and you go

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back and tell stories and talk about the success. When things go bad, which they can, you're smiling, Mike, you get the blame. So you've got to take the good with the bad. But we're tough, we can handle it. But I thought it was very important that we honor the firefighters and all the emergency responders. We are the Pleasant Prairie post. We did put in two other nominees from the City. We stepped over there a little bit. But the selection was because we're the Pleasant Prairie post as Pleasant Prairie were the ones that were submitted through the national. The State does not have an award.

So tonight we're going to be giving two awards. One is going to be from our post, recognition from our post, and I'm going to present that and then Phil Allen who was a past Pleasant Prairie commander for like 13 years, he's now the district commander, and he's going to be the new commander for the State's chief of staff next year, he's going to present the national awards. These are really special awards. Now, the VFW does not only have what we call the national award, it's made up of all 50 states who have posts and their own departments of state, but there is a European department, there's an Asian department because we have a military post that has a VFW post, too. So I'm not exactly sure how many were submitted, but I'm sure many hundreds or thousands or more.

So these fine first responders, emergency responders, are the ones that got these awards. So I think it's a really big deal. I think it's really important that we recognize this. I want to ask right now Chief do we do the police first? You've got the gun. Let's go to police first, okay? Alright. So, Chief, I'd like to just give a few words about your nominee and tell us how she evolved to this point.

Chief Smetana:

Well, as all of you know I've got a great selection of wonderful personnel. Our selection - as commanders, we sat around a conference table at a staff meeting and we discussed the names and the possibilities as a recipient of this award. It was almost unanimous in recognizing Heather Mogensen, Detective Heather Mogensen for this award. She's done a great job. Since I've been here for 15 months she's been a great aid to me. She's got a wealth of experience in the detective bureau. She's a caring individual.

Throughout the last year she's been extremely busy with a case that may have gone overlooked if it wasn't for her expertise and her caring and that was the horse case down on State Line Road. That case involved and it still involves a great deal of her time. I don't think many people understand at this point that she's still volunteering for some of those agencies that helped us out during that event. That case is just an example of what a fantastic law enforcement professional she is. She's got great capabilities when it comes to sensitive crimes, a very caring individual. So the choice for us was obvious.

Paul Fredericksen:

Thank you. I did read the bio. We don't have the bios here. They were not sent back. I believe they're going to come back. So I thought coming right from the Chief no greater praise could be shared. So, Heather, would you come up. I want to first give the award from the post level and

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I'm going to read it. Certification of appreciation awarded to Heather Mogensen in grateful recognition of unyielding adherence to the highest ideals of law enforcement in maintaining, preserving and protecting the lawful rights of all citizens. Given this day the 21st day of April, 2014 signed by myself and my Quartermaster John McCoy. Congratulations.

Heather Mogensen:

Thanks, Chief. When Chief Smetana, Lieutenant Riley and Deputy Chief Mogensen came into my office to tell me about getting this award it was a little moment of unrest on my part only because there was so much brass in the back by the detective bureau. This isn't how the bureau is made up, there's usually just one at a time. So it was a little unnerving, but thank you so much, Chief, appreciate it. Thanks Stacy.

Paul Fredericksen:

You want to give the national award to her?

Phil Allen:

Good evening. Our state commander couldn't be here tonight. Her mother had surgery this morning, and she lives over in the western part of the State. So luckily I picked these up in Madison about a month ago and I had them at my house. So I was going to meet her here. But luckily I picked them up and I'm here to do this on her behalf. She really wanted to be here. This is a big deal for us. Number one, it's a big deal for the Pleasant Prairie post which I'm also a member of to have the only one in the State that had these awards. I don't know what happened to the rest of the 294 posts in this State, but they lost out on a great opportunity.

So the Veterans of Foreign Wars of the United States, VFW National Law Enforcement Award awarded to Detective Heather Mogensen. In recognition and sincere appreciation of her dedication and selfless service to the Pleasant Prairie Police Department. During Heather Mogensen's outstanding career she has maintained a record of highly professional and exemplary service to the community and the nation. Her extraordinary commitment clearly illustrates the proud care, core values and traditions of the law enforcement profession. Further highlighted with a degree of the admiration and respect of both her peers and the local public she serves. Detective Heather Mogensen is truly an exceptional example of all who wear the badge, and this honor reflects the proud ideals and high standards for the Veterans of Foreign Wars of the United States. In witness whereof we have here unto set our hands and the official seal of the Veterans of Foreign Wars of the United States signed by William A. Thien, Commander in Chief, and John E. Hamilton, Adjutant General of the Veterans of Foreign Wars. Congratulations.

Paul Fredericksen:

Okay, we'll move onto the fire then and we have two awards. I think we'll start with the firemedic first, okay? I'll put them up here for you so you can read them Chief. So Adam Craig is our next awardee, and he's a paramedic with the Pleasant Prairie Fire Department. I'll let the Chief tell you a little bit about him.

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Chief McElmury:

Like the police department we had a very difficult time. We had a lot of great candidates to choose from. We also did an officers' meeting where we sat down and we discussed the different people that we thought would be the front running candidates for this. And it was almost unanimous again to nominate both the people that are here tonight representing the department. Starting out with Adam Craig, he probably has the longest nationwide history of firefighting and EMS in our department. He started in Maine as a firefighter, and then went to the Black Diamond Department outside of Seattle, Washington. He hit both coasts first and then settled in the middle and we're honored to have him. He started here full time for us in 2012, so he's got as of last week two years under his belt with us, and has just done an absolutely phenomenal job.

Matter of fact, he was the recipient of multiple unit citations including one where a young man was hit by a train and he caught something that he recognized through good patience and assessment that this young man had a very rare condition. It was an open pelvic fracture and he was able to catch that and literally saved the young man's life. That was confirmed by local doctors and also doctors at Froedtert that that single decision really made a huge impact, and the young man is alive today. So that and many other things he's involved with, ambulance committee and our thermal imaging program. He's brought an extensive amount of knowledge to our department already even though he only has two years here and is very well respected among his peers. So it's with great honor that we nominated Adam for EMT of the year for the EMT award.

Paul Fredericksen:

Okay, this is a little different because it has the Caduceus on there which is the EMT insignia, right, am I right? So I remember some things. This is also from the post level, a certificate of commendation award to Adam S. Craig in special recognition of exemplary service to humanity by administering emergency medical assistance, signed 21st of April, 2014 by myself and my Quartermaster John McCoy. Phil would like to give him the national award.

Phil Allen:

This also is a national award for the VFW National Emergency Medical Technician EMT award awarded to firemedic Adam S. Craig. In recognition and utmost appreciation of his dedication of selfless service to the Pleasant Prairie Fire and Rescue Department. During Adam Craig's outstanding career he has demonstrated a record of extraordinary and courageous service to the community and the nation. His exceptional devotion is illustrated of the esteemed core values and traditions of the professional emergency responders further evidenced by the high degree of admiration and respect from both his peers and the local public he serves. Firemedic Adam Craig is truly a premier example of all EMTs, and this honor reflects the proudest ideals and values of the Veterans of Foreign Wars of the United States. In witness whereof we have here unto set our

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hands and official seal of the Veterans of Foreign Wars of the United States signed by William A. Thien, Commander in Chief, and John E. Hamilton, Adjutant General.

Paul Fredericksen:

Okay, the last award is -- I know this young man very well. He was starting out in the associate degree program up at Gateway in Racine, and he was one of the first students -- in one of the first classes that I taught as an instructor in the associate degree program and I've watched him and had him in a few of my other classes. I always knew you were going to make it big some day. Little did I know I'd be presenting you an award later on. But I'm very proud to do that. Would you come on up, and the Chief will expound on your career.

Chief McElmury:

As Paul mentioned Aaron came to us as a college student seeking his fire science degree at Gateway Technical College and was a live in student which meant he lived at the firehouse. He then went on to get all of his training. We kept him. We hired him full time in '99. I think it's especially fitting that Captain Fredericksen is here to help present the award being really our pathway into hazardous materials training and response in Kenosha County. This is a result of his work. He was the one that gave us - when he was in charge of the HAZMAT team for the Kenosha Fire Department he was the one that gave us our first slots in HAZMAT school. Those were coveted positions. The only place you could go was Lakeshore Technical College and Captain Fredericksen gave us some of his slots so we could get the people trained. He saw what we had coming in in the industrial park, and he knew it was important we had people trained. So he's really the beginning of it.

So it's fitting that it carries on through because Aaron in addition to many other things we'll talk about is the training officer for the Kenosha County Hazardous Materials Team which was truly a dream of Captain Fredericksen's. He really wanted it to be a county team with multiple departments. We're there, we've gotten it. Aaron is the training officer and really the driving force behind the team right now. So how many other people would you get phone calls from when he's at HAZMAT conventions expounding upon how he just learned how to make a bomb out of nicotine or poisons out of this. But, anyway, the reason I say that is he's passionate about everything he does. He's passionate about fire training, he's passionate about hazardous materials training, and it shows through in everything he does. He runs our recruit training program. You'll also notice there's a medal on him. He's our first recipient of the life saving award. He was successful in rescuing a young man that had fallen through the ice out in Lake Russo. So he was the first recipient ever in the department history of that award. So we're very proud to nominate Aaron for that award.

Paul Fredericksen:

Okay, Aaron, certificate of appreciation awarded to Aaron R. Longrie in special recognition and highest praise for alertness, personal courage and every efficient guardianship of life and property signed the 21st day of April, 2014 by myself and my Quartermaster John McCoy. Congratulations.

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Phil Allen:

Last but not least, right? On behalf of Veterans of Foreign Wars again, the VFW national firefighter award is awarded to firemedic Aaron R. Longrie. In recognition and utmost appreciation of his dedication and selfless service to the Pleasant Prairie Fire and Rescue Department. During Aaron Longrie'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 his esteemed core values and traditions to the firefighter's profession further manifested by the high degree of admiration in respect to his peers and the local public he serves. Firemedic Aaron Longrie is truly a role model to all firefighters. This honor reflects the proudest ideals of the Veterans of Foreign Wars of the United States. In witness whereof we have here unto our hands the official seal of the Veterans of Foreign Wars of the United States signed by William A. Thien, Commander in Chief, and John E. Hamilton, Adjutant General.

Just one last word. To all the firefighters, to all the police officers here today, the Veterans of Foreign War salute you for service to our country.

Paul Fredericksen:

Thank you. I was going to add I really appreciate what you do. I know what you do, and I know what goes along with the job. Also we have to salute the families because these are the people that put up with them being away for so long and usually when something, in my case anyway, whenever something was going to go wrong at home it went wrong, like a water heater or whatever, when I was at work. But the wives and the husbands, the boyfriends, girlfriends, whatever, support you. You deserve a round of applause, too. So let's give them a round of applause.

I'm just going to add one thing and I think you know this. I'm the commander of the Pleasant Prairie post although I live in Kenosha. But by myself the border of my lot abuts with Pleasant Prairie but we're kind of a kin. But the commander of the Kenosha post live in Pleasant Prairie. I want to thank you for allowing us to come here and do this. I think it's very important to honor those public employees. They can take a lot of hits in the press, teachers, firefighters, you name it and even though they're not public employees nurses and doctors you always hear about the bad stuff. But think of all the good that they do, and we certainly couldn't function without them. So thank you again for allowing us to come here.

John Steinbrink:

Thank you. I think on behalf of the Board I, too, would like to offer our congratulations to you gentlemen for the fine work you do. I guess we consider you a testament of the caliber of the employees that work for the Village. I think the residents of Pleasant Prairie should be very proud of the trained professionals, yourself and all your co-workers that serve the residents and do the job you do because I think all of us here understand what you do and really appreciate the sacrifice you make many times for your community and for your family. So thank you on behalf

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of the Board. It's always nice to start out with good news. We're going to take just a break here for a minute while everybody gets shuffled around here.

5. MINUTES OF MEETINGS - APRIL 7, 2014

Steve Kumorkiewicz:

Motion to approve.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde for adoption of the minutes or approval of the minutes. Any additions or corrections to the minutes?

Jane Romanowski:

Just for the record I did make one change. Kris pointed to a number in a motion that was incorrect. So that has been changed and everything will be updated.

John Steinbrink:

Okay, thank you, Jane. Good catch. We have a motion and a second.

KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE APRIL 7, 2014 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM INCLUDING THE CORRECTED MOTION; SECONDED BY ALLEN; MOTION CARRIED 5-0.

6. CITIZEN COMMENTS

Jane Romanowski:

There were no signups tonight, Mr. President.

John Steinbrink:

Anybody wishing to speak under citizens' comments?

7. ADMINISTRATOR'S REPORT

Mike Pollocoff:

No report tonight.

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8. NEW BUSINESS

- A. Receive Plan Commission recommendation and consider a Conceptual Plan for the future expansion of the Hospice Alliance facility and commercial development located at 10220 Prairie Ridge Boulevard.**

John Steinbrink:

And are there several here, Jean, you want to do?

Jean Werbie-Harris:

Yes, A, B and C.

John Steinbrink:

A motion to take up A, B and C is in order.

Clyde Allen:

So moved.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Clyde, second by Steve for taking up A, B and C together.

**ALLEN MOVED TO CONSIDER NEW BUSINESS ITEMS A, B AND C TOGETHER;
SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

- B. Receive Plan Commission recommendation and consider a Certified Survey Map of the property located at 10220 Prairie Ridge Boulevard and the vacant 8.6 acre property to the east.**
- C. Receive Plan Commission recommendation and consider Ordinances #14-09 and #14-10 for a Zoning Map and Zoning Text Amendment for the property located at 10220 Prairie Ridge Blvd. and a portion of the vacant 8.6 acre property to the east.**

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, there are three related items for the request of Mark Molinaro, Jr. of Partners in Design Architects. This is on behalf of the Hospice Alliance Foundation owners of the property at 10220 Prairie Ridge Boulevard. The three

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requests involve a conceptual plan, a certified survey map and zoning map and text amendments Ordinance Numbers 14-09 and 14-10. These items will be discussed at one time but separate action will be needed by the Board.

The petitioners were requesting several approvals related to a proposed parking lot expansion at their Hospice House facility located at 10220 Prairie Ridge Boulevard in Prairie Ridge. This is including the vacant development land to the east of their existing Hospice House. At this time Hospice Alliance operates an eight bed residential facility known as Hospice House since 2003 in the Village. In December of 2013 Hospice went ahead and purchased 8.6 acres of vacant land as shown on the slide to the east of their property. Hospice purchased the additional property for at this time the singular immediate purpose of constructing additional parking for their existing facility.

In the initial phase Hospice proposed to combine a portion of the new property with the existing facility property for the purposes of expanding the available number of parking spaces for the Hospice House through this certified survey map that's on the agenda this evening. The remainder of the land could be further developed as shown on a conceptual plan.

So the first item on the agenda is the certified survey map. Again, you can see the existing Hospice House facility in the far west of Lot 1, and they are proposing at this time to essentially create two lots, Lot 1 and Lot 2. All of the items have been reviewed by the Village Plan Commission for the certified survey map. There are a number of dedications and easements that are actually also shown on this certified survey map. There's actually also a public walkway easement that is on the far east end of Lot 2 which will eventually bring public from Prairie Ridge Boulevard north to the commercial area on the site.

The conceptual plan that they presented that the Plan Commission approved subject to a number of conditions was a concept plan that would, in fact, show up to three different commercial or institutional related buildings north of Prairie Ridge Boulevard. Again, this is just west of the hospital. Identified in gray, the first area, is a reconfiguration of their parking lot directly to the north of their existing building. Then the parking just to the east of the parking to the west, this area which is at the north end of the site, that's the parking that they're looking to actually construct at this time.

Again, they host a number of things like fund raisers and activities where they have more parking needed at certain times. So they felt that the first step for them would be to grade the particular site immediately to the east of them and to install the parking that they need for their occasional gatherings that they have at the Hospice House.

The site and operational plan that was approved by the Village Plan Commission in its preliminary stage included existing parking and proposed parking and enough of the civil and engineering design work in order to construct that parking this summer. With respect to this particular project there will be multiple buildings on a single property, and we did need to make some minor modifications to the planned unit development. We also needed to rezone the property to put it from the B-2 Business District into the I-1 Institutional District.

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With that public hearings were held before the Village Plan Commission. One last item that does need to be addressed and will be on the agenda next month is the 2035 Comprehensive Plan does need to be amended to reflect this modification as they're requesting this evening. The staff recommends approval of all of the items as requested that are before you. Again, the first two items the certified survey map, the conceptual plan and then the zoning text and map amendments for the Hospice Alliance Foundation.

Michael Serpe:

Jean, at the Plan Commission there was some concern that Mark Molinaro had. Were those satisfied?

Jean Werbie-Harris:

Well, actually we just got the plans in today, and I have not had an opportunity to take a look at them or speak with our Village engineers. But I'm confident that we will be able to take a look at that one curb line area with respect to the grading on the north end of the site.

Michael Serpe:

I'd move approval of the conceptual plan.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Any further discussion on this item?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CONCEPTUAL PLAN FOR THE FUTURE EXPANSION OF THE HOSPICE ALLIANCE FACILITY AND COMMERCIAL DEVELOPMENT LOCATED AT 10220 PRAIRIE RIDGE BOULEVARD; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

That brings us to Item B.

Clyde Allen:

Make a motion to approve certified survey map.

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Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike for adoption of the certified survey map. Any further discussion on this item? Those in favor?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CERTIFIED SURVEY MAP OF THE PROPERTY LOCATED AT 10220 PRAIRIE RIDGE BOULEVARD AND THE VACANT 8.6 ACRE PROPERTY TO THE EAST; SECONDED BY SERPE; MOTION CARRIED 5-0.

Michael Serpe:

Move approval of the zoning text amendment.

Steve Kumorkiewicz:

Second.

John Steinbrink:

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

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCES #14-09 AND #14-10 FOR A ZONING MAP AND ZONING TEXT AMENDMENT FOR THE PROPERTY LOCATED AT 10220 PRAIRIE RIDGE BLVD. AND A PORTION OF THE VACANT 8.6 ACRE PROPERTY TO THE EAST; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

Thank you, Jean. Did you need an individual motion on those two, or grouping them together was fine?

Jean Werbie-Harris:

That was fine.

D. Receive Plan Commission recommendation and consider a Certified Survey Map to combine the Village owned property located at 9915 39th Avenue and the vacant property to the north and to dedicate additional right-of-way for the future 39th Avenue and Springbrook Road roadway improvements.

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Jean Werbie-Harris:

Mr. President and members of the Board and the audience, the request you have before you is a certified survey map request to combine Village owned properties located at 9915 39th Avenue, and the vacant property that was recently acquired by the Village to the north, and to dedicate additional right of way for the future widening of 39th Avenue in Springbrook Road as part of intersection improvements to be completed by the Village next year.

After the combination of the lots and the dedication of additional right of way the property will be 8.189 acres. At a subsequent meeting to be held in May the entire property is proposed to be rezoned into the I-1 PUD or Institutional District with a Planned United Development Overlay District. Again, this work is being done for the future widening and improvements of 39th Avenue and Springbrook Road and for the development of the Village's campus project with the expansion of -- or, excuse me, the relocation of the Village fire station and slight remodeling of the Village Hall.

This is a matter that went before the Village Plan Commission at their last meeting, and the Plan Commission recommended approval of the certified survey map as presented.

Steve Kumorkiewicz:

So moved to approve the CSM.

Michael Serpe:

Second with a comment.

John Steinbrink:

Motion by Steve second by Mike. Mike?

Michael Serpe:

Not that it's related to this, but for the future coming from 165 and I would guess going past the new fire station to 97th in that area I think that speed limit should be addressed to somewhere around 30 miles an hour.

Mike Pollocoff:

I think if you look at the Village Green development plan for commercial use it's going to slow down.

Michael Serpe:

Right now they're moving pretty quick, and it's going to get pretty busy over here. Okay.

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John Steinbrink:

We have a motion and a second. Any further discussion?

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CERTIFIED SURVEY MAP TO COMBINE THE VILLAGE OWNED PROPERTY LOCATED AT 9915 39TH AVENUE AND THE VACANT PROPERTY TO THE NORTH AND TO DEDICATE ADDITIONAL RIGHT-OF-WAY FOR THE FUTURE 39TH AVENUE AND SPRINGBROOK ROAD ROADWAY IMPROVEMENTS; SECONDED BY SERPE; MOTION CARRIED 5-0.

- E. Consider the request of the Tobin Woods Homeowner's Association to approve amendments to the Declaration of Design Guidelines, Restrictive Covenants and Easements for Tobin Woods Subdivision.**

Jean Werbie-Harris:

Mr. President and members of the Board, Item E is to consider the request of the Tobin Woods Homeowners Association to approve amendments to the declaration of the design guidelines, the restrictive covenants and easements for the Tobin Woods Subdivision. This is one of the subdivisions that started its development in the early 2000s, and the original developer, Kevin Stein, had a set or a series of declarations that he was implementing somewhat loosely, but he was implementing over the years.

The association has now been turned over from Mr. Stein to a group of individuals within the development. What they've requested to do is to take another look at their covenants and restrictions and actually possibly make them a little bit more strict but make them a little bit more clear when they're reviewing various applications for new single family homes or new modifications or additions or other types of modifications within the development.

So as a result they have worked with a local attorney and have made some minor modifications to their declarations. You have a copy of those. Specifically the changes that they're recommend are highlighted in red. They've identified one additional change since Friday that's not in our packets but I'll just read the statement. It's a grandfather clause that they wanted to have added to their declarations before it gets recorded. That grandfather clause states that any existing house that does not comply with the new architectural requirements of the amended covenants as of April 17, 2014 shall be grandfathered in. In the event that the home is destroyed or materially damaged the house shall then be required to comply with the terms and provisions of the covenants as amended, as may be amended thereafter.

Just as a reminder, the covenants and restrictions are a requirement that the Village has imposed on new developments or new subdivisions, but it's the obligation of the association in the first instance to enforce the covenants within individual subdivisions and to work through any and all issues that pertain to the requirements as set forth in these covenants. The Village does in most cases have the right but not the obligation to enforce covenants. But the Village's concerns primarily have to do with things from drainage to street trees, street lights, a number of things that

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pertain to public, quasi-public related matters within that particular development. If there are any questions I'd be happy to answer. There is a representative from Tobin Woods if you have any questions for him.

Steve Kumorkiewicz:

Jean, which one is number 19. I remember the case, I don't remember the lot, lot number 19.

Jean Werbie-Harris:

And what's your question regarding lot number 19?

Steve Kumorkiewicz:

What's the location here because I don't recall.

Jean Werbie-Harris:

Does it matter? I'm not sure what you're -- why? There's a retention basin.

Steve Kumorkiewicz:

Is that 19 or 1?

Mike Pollocoff:

I believe the retention basin is Lot 19. Lot 19 is covered by the covenants. At some point the retention basin will be abandoned at such time as there are improvements downstream for that basin to be abandoned. Then at that time the development would be able to fill that basin or fill that parcel and develop that lot, and these restrictions would be on that lot just as they would with any lot. But there is an unknown amount of time for when that's going to happen and if it doesn't happen it just stays the way it is.

Jean Werbie-Harris:

If you will recall there was actually a temporary location for that basin which was in the right-of-way at this location between the two outlots. There's where the temporary basin was located. And then it was moved to a next temporary location right here. Eventually it will be someplace in this area just to the east of Tobin Woods because that was intended to be a downstream joint basin in this location and that location if the property develops in accordance with that last conceptual plan and final plat that was on file.

Steve Kumorkiewicz:

Those are the wetlands over there west?

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Jean Werbie-Harris:

The wetlands?

Steve Kumorkiewicz:

Right there, I mean east, correct, east.

Jean Werbie-Harris:

It looks like there's a pond right here.

Steve Kumorkiewicz:

Keep moving east over there. Is that where the wetland is there?

Mike Pollocoff:

There are some wetlands there.

Jean Werbie-Harris:

There's wetlands to the north of the street and south of the street, and the rest of these are woodlands and adjacent to it. Then there are some wetlands right here, there's some wetlands up over here and the basin would be adjacent to those wetlands. It would not be in those wetlands.

John Steinbrink:

But that's not part of what we're looking at this evening.

Jean Werbie-Harris:

No.

Steve Kumorkiewicz:

That was for my information. Thank you.

Jean Werbie-Harris:

That was from many years ago. So in order for the covenants to be recorded they do need to be approved by the Village, and then they would be signed and executed by the association and then recorded at the Registered of Deeds office in order to be a recorded covenant on the lots for this subdivision.

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Steve Kumorkiewicz:

I'll make a motion to approve the request.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde for approval. Further discussion?

KUMORKIEWICZ MOVED TO APPROVE THE REQUEST OF THE TOBIN WOODS HOMEOWNER'S ASSOCIATION TO APPROVE AMENDMENTS TO THE DECLARATION OF DESIGN GUIDELINES, RESTRICTIVE COVENANTS AND EASEMENTS FOR TOBIN WOODS SUBDIVISION; SECONDED BY ALLEN; MOTION CARRIED 5-0.

F. Consider Resolution #14-08 to deny the Final Plat, Development Agreement and related documents for the properties generally located east of 63rd Avenue and north of STH 165 for Stage 1 of the Courts of Kensington development.

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, this is a request of Resolution 14-08, a resolution to deny the final plat for the Courts of Kensington Subdivision. The original subdivision was submitted by Mark Eberle of Nielsen, Madsen and Barber, agent, on behalf of the developer of Courts of Kensington which was stage 1. The property was generally located east of 63rd Avenue and north of Highway 165. The first phase included 36 single family lots and 3 outlots. On August 6, 2007, the Board had conditionally approved the preliminary plat for the Courts of Kensington. It was an approximate 83-acre property. Eventually it was to be developed into 119 single family lots and 7 outlots with a number of conditions that were outlined in the Village Board Resolution 07-45.

The Village Plan Commission held a public hearing and recommended conditional approval of the final plat for stage 1 of Courts of Kensington on September 24, 2007. And the conditions in order for the subdivision to be approved needed to be satisfied within 90 days. The Board approved some extensions for the owner of the Courts of Kensington for that final plat. On March 3, 2008, the Board granted an extension. On March 2, 2009 the Board had granted an extension. On May 3, 2010 the Board granted another two year extension. On May 7, 2012 the Board granted another two year extension. These extensions were granted conditioned upon final plat, engineering plans and related documents being subject to the Village ordinances, changes and amendments being adopted since 2007 and final documents being submitted to the Village within 45 days thereafter.

There have been a number of changes in the State law with respect to when final approvals are granted by a Village Board or when permits are issued within the Village and no longer can any

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of those approvals be conditioned upon modifications, changes or conditions that may change over the years. So as a result it's been the staff's recommendation to the Village Board and to the Plan Commission that extensions not be granted time and time again, but we actually just wait for the development to be ready for it to develop, and then we move forward with the current rules and regulations in effect at that time. Then we process it accordingly.

We actually are meeting to make some additional changes to our land division and development control ordinance based on a number of changes that occurred through some State law and through some local changes over the last six to eight months and so we felt that it was appropriate at this time to deny this final plat. When the petitioner which is the new landowner comes forward they can certainly take a look at all of the documents and all the work that has been completed up to date but with respect to the Village ordinances they do need to comply with the current ordinances in effect before the Village will consider approval of the plat. So with that the Village staff recommends approval of Resolution 14-08 to deny the final plat, development agreement and related documents for the Courts of Kensington.

Mike Pollocoff:

On the face it seems relatively minor, but it's going to have a critical impact on the Village as we proceed forward. So not only in passing legislation saying that the developer has rights to rules and ordinances that might have existed ten years, eight years ago, the Village has no ability to stop stormwater requirements, changes in standards for sewer and water, any of those things. We would still have to be able to meet current standards and guidelines. The difference is that the taxpayers would be paying the difference. We couldn't impose it on the developer as part of their development costs, it would be something that the taxpayers would shoulder.

Even if we catch all these - and we will catch any developments that don't have development agreement with any intention to proceed - so we catch all these, for every development that we see coming forward if we allow that development to proceed at a pace that is as big as that, even half as big as that, we could be in a position where the development doesn't get all built out, they have a final plat that is more lots than what the developer would finish at a certain point. As time goes by I have yet to see where the standards are reduced on local governments, and typically they're increasing and now we've said that developers can go backwards on what their requirements are.

So the ordinances that Jean is talking about there are a number of ways we can protect ourselves from that. One is in road standards, all municipal roads that are residential be concrete with an asphalt base. We have to be able in order to have a sustainable local economy and local budget to ensure that when the development comes in the improvements they make are, one, small in the sense they're not large in scope, but secondly that they're sustainable in that we know that a concrete road is going to be good for 50 years without having a major rebuild of the road.

So this is one of those things that was promoted by the home builders and the road builders and everybody in order to shave their expenses, and the State signed off onto it but the people that are going to pay this are going to be the taxpayers. Because once we start a project and we've entitled the developer to develop that parcel if we want something that we would consider to be

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necessary but it isn't required the developers have to pay for it, and something that is required by statute or code, sewer and water or stormwater, those are the three most expensive things we need and have to deal with, we're going to have to pay the freight on it.

I think as time goes forward and people start platting you'll see a lot smaller plats being recommended by the staff because there's no sense in exposing the taxpayers to any more work than what a developer can do in a construction season. As we go through the year and these final plats come through we're going to recommend where anybody who is not willing to sign on the line for the development agreement that plat is going to have to be denied.

Michael Serpe:

We're going to do all of this with a zero levy increase, right?

Mike Pollocoff:

Yeah. Local government has faced no increases in expense.

Steve Kumorkiewicz:

In this session of the legislature, this session now, there's nothing for the communities, local governments. Everything is for builders, developers and whatever. Everything is -- any control that we had before is being taken away from us little by little. We cannot get more money so they're going to force us to give it to the people, to the residents, I just don't agree. And I hope by the next session they spend the time taking less money from the people because that's what it is. It's a legal bribery to get the money to get [inaudible] what they want.

Mike Pollocoff:

This really puts platting back almost 30 years. If you look at some of the older plats in the City of Kenosha the developer did a plat and then the City bonded for the roads and bonded for the improvements. In some cases it's paid for and sometimes it is a special assessment, and developers really had no carrying costs other than what they paid for the cost of the land and the public, the taxpayers or whatever paid for all the improvements. This takes us back, it starts winding us back to that point. It's not even a TIF and they almost get the same benefits.

Mike Serpe:

This couldn't happen at a worse time now that we're I think going to experience a major increase in development. The economy is turning around and we have a lot of things happening in Kenosha County and Pleasant Prairie, and it's unfortunate that we have to deal with this. But I'd move approval of Resolution 14-08

Clyde Allen:

Second.

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John Steinbrink:

Motion by Mike, second by Clyde for adoption of Resolution 14-08. Any further discussion?

Steve Kumorkiewicz:

Yeah, I think those new laws that are being passed in Madison it should be [inaudible] in our monthly bulletin, the Village, so that people know how our representatives in our district voted in the session, if they were in favor or against us. Because somebody is going to say, hey, what are you guys doing to us? It's not us. They don't know what's going on in Madison.

Michael Serpe:

Be careful, Steve, because they might come out with a law outlawing our Village newsletter.

Steve Kumorkiewicz:

Yeah, they'd do that, yes.

John Steinbrink:

Further discussion?

SERPE MOVED TO ADOPT RESOLUTION #14-08 TO DENY THE FINAL PLAT, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR THE PROPERTIES GENERALLY LOCATED EAST OF 63RD AVENUE AND NORTH OF STH 165 FOR STAGE 1 OF THE COURTS OF KENSINGTON DEVELOPMENT; SECONDED BY ALLEN; MOTION CARRIED 5-0.

G. Consider an award of contract for the 2014 Microsurface and Slurry Seal Project.

Mike Spence:

Mr. President and members of the Board, this is the first part of the Village's 2014 paving program. It includes two different types of treatments. The first one is a microsurface which is a wear course that is going to be placed on six sections within the Village. And then the other type of surface prep for the paving program is slurry seal. That's going to be done at the RecPlex parking lot. This map here shows the locations that we're going to be treating this summer. As I said, there's six microsurface which are basically four of them are in the corporate park. And then there are two other sections that were added because of the harsh winter conditions. 93rd Street between Cooper Road and 39th Avenue took quite a beating this winter. And the 104th Avenue from the Prairie Ridge residential development south to County Trunk Highway C were added. The RecPlex parking lot, the slurry seal, will be similar to what was done last year at the IcePlex parking lot. It's a heavier treatment, and it worked out real well last year.

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We advertised for bids, and we received bids on April 10th. We received one bid from Fahrner Asphalt Sealers. Part of the reason why we've only received one bid is that there are not a lot of contractors in this area that do this. The other primary contractor that would have done this is Struck & Irwin, and they're the ones that did the work a couple years ago on Lakeshore Drive that we were less than impressed with. And so they did not submit to get prequalified, nor did they pick up a bid package for this project.

But in reviewing the prices that Fahrner Asphalt submitted for the project we believe that they're reasonable. They were similar to what we've had in the past, and I think it was a solid bid. They had no knowledge that nobody else was bidding. So I think this bid was competitive. So for that reason I do recommend that we award the contract for Fahrner Asphalt for the paving program in the amount of \$377,424.31. I'd be glad to answer any questions.

Mike Pollocoff:

Before the Board makes a motion on that I want to pull out two sections and indicate to you that on section 6 which is 93rd Street and section 7 which is 104th Avenue, as Mike indicated, those roads suffered -- they're arterials that suffered significant heaving through the winter period. So that's roughly \$176,000 almost \$177,000 that would be in excess of what the budget was. So we'd like to get those done in order to the extent that the patching that needs to be done, if you look at 93rd Street we have 1,100 square yards that need to be done, and on 104th Avenue we have 1,300 square yards of patching that needs to be done. And if we let that thing run for another year that number is going to grow on us. So I recommend that we have surpluses from last year and that we allocate those surpluses to get those two roads done to bring that to the total of \$377,000. If you want to hold on those from the \$377,000 you could get that back down to the \$200,000 which is really what we had in the budget.

We did have significant damage on a lot of residential roads, but they were probably problematic to begin with. We have a road that John secured a grant for on 86th Street off of Cooper Road that just gave up. If we pulverized it we'd be pulverizing dirt. It died bad. So we're going to do that one, but there are more of them. But to the extent that the arterials start giving up on us given the number of traffic on that and the weight of the traffic they'll give up faster than anything else. If John has anything he wants to say. But I wanted to point that out that it's a departure from the budget.

John Steinbrink, Jr.:

I think Mike summed it up pretty good for the most part. The arterials that Mike mentioned really did suffer a lot with the harsh winter we had they really took a beating. We go through and we evaluate the road as part of the PASER ratings that the State requires us to do, and those two roads really started to fall off of our maintenance treatment cycle to the point where if we don't catch them now when it's going to cost \$177,000, it will cost us two or three times that in a couple years. And so it's really important that we as Mr. Pollocoff said good through and take care of these now. It is some extra money but with the harsh winter it is something that will cost us a lot more in a couple years to fix.

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Clyde Allen:

Thank you, John. Thank you, Mike. Not a question for you, just a comment. Some seven and a half years ago the number two issue when I was running was road maintenance was not what it should be. And since then it has been terrific. We've really stepped up the program, and I really would like to see that kept up. I understand how fiscally conservative I am, always watching the budget, but with the left over surplus from the prior year I think it's very wise that we do continue the program the way we've got it going. With that I'll make a motion to approve.

Michael Serpe:

I'll second Clyde's motion with a comment.

John Steinbrink:

Motion by Clyde, second by Mike. Mike?

Michael Serpe:

With the road conditions as they are - and the main roads we've taken care of quite well - but like you say we've got subdivisions that are falling apart, and just keeping up with winter damage every year I think it's maybe time we consider a special fund. And it would be a tax increase earmarked only for road repair/road replacement. I think in the long run we'd probably be further head doing that instead of trying to put patchwork on every year. We're running short of money. The State's not giving us any more, so we've got to do something.

Mike Pollocoff:

We can't adjust the levy for it, so it would have to be either a referendum or the other approach is to run a revolving bond. You bond for one year and you pay it back the next year and you do your road work. People sell bonds like that because they make a lot of money. But you take that and add some debt to it and you do a one year note on it. You do what you have to do one year and retire it and adjust your levy accordingly by the debt every year. You're right, road aids have gone down. The money people pay for their gas tax and their licenses that's gone. That stays in Madison now so we get a reduced amount.

John Steinbrink, Jr.:

If I might just add one thing [Inaudible] the road conditions that they are now, the predicted deterioration of what it will cost to keep all the roads from falling apart [inaudible] and that number we came up with was between \$1.7 and \$2 million annually just to take care of the 123 centerline miles of roadway that we have. So I definitely do agree with you if there is a way that the Board and the Administration to find a way to fund it - you know that number only gets bigger and we get that much less every year.

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John Steinbrink:

John, have most of the roads settled back down as most of the frost has come out now.

John Steinbrink, Jr.:

Yeah. Historically what happens is that just as you had said there are cracks in the roadway, the water gets in there and it will freeze. And then the water actually heaves the road up in different sections [inaudible]. That's why these slurry treatments are so important because it actually seals all the cracks up 100 percent that prevents that water to get underneath in there, it prevents the freezing and thawing cycle that starts the alligator crack and [inaudible] potholes. So that's why we've been very aggressive over the last couple of years in implementing the road maintenance plan on some of our better condition roads. Like Mike Spence said today, we can do this treatment at \$2 a square yard for the slurry that kind of protects it for about seven years and we've had ultimately very good luck with it. Just to do a pulverize on the road like we did 116th it's probably about \$30 a square yard. So you can really see how much more than we can do with quite a bit less money. So that's why we've been very aggressively doing this road maintenance on the better roads to keep them from falling apart just until the Board and Administration can find a way to bring enough money to pulverize everything else that we have to keep up with in some these more residential roads.

Michael Serpe:

John, are you still using boiler slag?

John Steinbrink, Jr.:

No, we are not. We have shied away from that 100%..

Michael Serpe:

And I understand why, but when you were using it was it effective?

John Steinbrink, Jr.:

It did a good job for what it was intended to do at a cheap price. And there are some communities that accept it, there are other communities that just do not accept it. It works well in more rural areas where there's a shoulder. Anyplace that there's a curb and gutter it really collects along the curb and gutter area, it gets in the storm sewer. But to answer you question it did exactly what it was supposed to do. But I think that there are other maintenance types that we've had very good success with over the years.

John Steinbrink:

Okay, thank you. We have a motion and a second. Any further discussion?

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ALLEN MOVED TO AWARD A CONTRACT FOR THE 2014 MICROSURFACE AND SLURRY SEAL TO FAHRNER ASPHALT SEALERS IN THE AMOUNT OF \$377,424.31; SECONDED BY SERPE; MOTION CARRIED 5-0.

H. Consider a contract to provide appraisal review services for parcel acquisition for the 39th Avenue corridor project.

Mike Spence:

Mr. President and members of the Board, as part of the 39th Avenue reconstruction project the Village is looking forward, and because of that we are looking at corridor preservation along that route. Because the road that's going to be reconstructed we wanted to be able to have the ability to expand it in the future if we needed additional lanes. So as part of this project we're going to be acquiring portions of 15 parcels along 39th from State Highway 165 to 97th Street as shown on this figure.

The DOT is funding a part of this project, and as such they do have certain requirements when you are acquiring land. One of the requirements is that we hire an independent review appraiser that looks at the appraisals that are established on the project. I did some research, and I requested a proposal from a company called CORRE, Inc. They have done a lot of review appraisal services over the years in the State. They're proposal includes inspecting the site, doing comparables, review the appraisal report that will be done for the project and then submitting a written review to the Village.

So I received a proposal from CORRE, Inc. The primary person that will be working on it his name is Richard Dickson. He's got 24 years of experience with the DOT with the last 15 as a review appraiser. The price that he submitted is \$500 per parcel for the 15 parcels which adds up to \$7,500. Again, this is a required step in the overall acquisition process. I believe that the fee is reasonable, and I recommend approval of the contract. I'd be glad to answer any questions.

Steve Kumorkiewicz:

Have we worked with them before?

Mike Spence:

No, we have not. This is a requirement that we don't see that often. But because we're working with the DOT it's in the statutes that we have to have an independent reviewer. But, like I said, I did some research and I talked with a number of consultants for the DOT, and CORRE, Inc. was one that was mentioned frequently.

Steve Kumorkiewicz:

[Inaudible]

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Mike Pollocoff:

We used Howard Needles, but at that time those were local roads, and the Community Development Authority did the acquisition. With the DOT it's a State requirement, but in turn it's a federal requirement when there's any federal money that's being passed through on a project.

Steve Kumorkiewicz:

Okay, thank you.

Kris Keckler:

Move to accept it.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Kris, second by Steve for adoption. Further discussion?

KECKLER MOVED TO AWARD A CONTRACT TO CORRE, INC. TO PROVIDE APPRAISAL REVIEW SERVICES FOR PARCEL ACQUISITION FOR THE 39TH AVENUE CORRIDOR PROJECT IN THE AMOUNT OF \$7,500; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

I. Consider Resolution #14-09 proclaiming the week of May 18, 2014 National Public Works Week.

Mike Pollocoff:

Mr. President this resolution is one we adopt every year and it's one of my favorites because I think public works especially in our community does an excellent job. It really provides and maintains the bones of this community, the infrastructure that we survive with and they work on, and they provide those services like solid waste collection and highway maintenance, road maintenance like we saw this last winter and sewer and water and they do an excellent job doing it. So I'd recommend that Resolution 14-09 be adopted.

Steve Kumorkiewicz:

So moved.

Clyde Allen:

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Second.

John Steinbrink:

Motion by Steve, second by Clyde. Further discussion? It's kind of unique in they kind of do the stuff we see and the stuff we don't see, ground and below. So make sure you tell your guys thank you especially after this winter.

Michael Serpe:

The public definitely noticed their presence this year I'll tell you.

John Steinbrink:

Have gotten only good comments from the public. With that we have a motion and a second. Any further discussion?

KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #14-09 PROCLAIMING THE WEEK OF MAY 18, 2014 NATIONAL PUBLIC WORKS WEEK; SECONDED BY ALLEN; MOTION CARRIED 5-0.

J. Consider Operator License Applications on file.

Jane Romanowski:

There are four applicants tonight, and they all pass the guidelines set forth by the ordinance - Melissa Brown, Paul Forchette, Megan Richardt and Jonathan D. Walls.

Michael Serpe:

Move approval.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Any further discussion on any of the applications

SERPE MOVED TO APPROVE THE OPERATOR LICENSES FOR MELISSA BROWN, PAUL FORCHETTE, MEGAN RICHARDT AND JONATHAN D. WALLS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

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8. VILLAGE BOARD COMMENTS

Kris Keckler:

I just wanted to take an opportunity to now that I'm past a month on the Board here I want to thank Mr. Pollocoff and Chief Smetana and Chief McElmury for giving me such nice tours of the Village buildings for the police department and the fire station. I look forward to this Thursday I'm going to some other places. Everybody has been really nice and wonderful.

Michael Serpe:

Sunday, John, we have an indoor/outdoor triathlon at the RecPlex starting at 7:30 I believe. Anybody wishing to spend a couple hours volunteering and keeping things moving we'd welcome their involvement. I'll be there. I'm going to be in the pool not swimming.

John Steinbrink:

How did Easter go, Mike?

Mike Pollocoff:

Easter was just a hopping thing.

John Steinbrink:

I kind of miss those egg hunts we used to have.

Mike Pollocoff:

Yeah, I know, especially when the parents were fighting for the eggs.

John Steinbrink:

That's true. Further Board comments?

9. ADJOURNMENT

SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY ALLEN; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7:10 P.M.