

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
August 4, 2014
6:00 p.m.**

A regular meeting of the Pleasant Prairie Village Board was held on Monday, August 4, 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; Tom Shircel, Assistant 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; Carol Willke, HR and Recreation Director; Dan Honore', IT Director; Sandro Perez, Inspection Superintendent and Jane M. Romanowski, Village Clerk. Two citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - JULY 21, 2014**

Clyde Allen:

Motion to approve.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike. Any additions, corrections?

ALLEN MOVED TO APPROVE THE MINUTES OF THE JULY 21, 2014 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY SERPE; MOTION CARRIED 5-0.

- 5. CITIZEN COMMENTS**

Jane Romanowski:

There were no signups tonight, Mr. President.

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John Steinbrink:

Anybody wishing to speak? Anybody wishing to speak? If you have an item on the agenda --

Ted Johnson:

Good evening. My name is Ted Johnson. I am President of TJ Design Strategies. I am Costco's Midwest Development Manager. I just want to say that I'm here tonight if the Board has any questions I'll be glad to answer them. And on a side note we've been working with your staff for, I don't know, three months, three or four months and have worked all the details out. And we have I believe a very good relationship working with them, and we're pleased to be coming to Pleasant Prairie.

John Steinbrink:

Just one thing. We have a request from the public; they'd like it open by Christmas if you could step that up.

Ted Johnson:

Our intent is to hopefully get some of the underground work this fall and open by the end of summer. Worst case if we have a bad fall it would be probably late fall. We try to open these before Halloween.

John Steinbrink:

Alright, thank you. Anyone else wishing to speak? Hearing none I'll close citizens' comments.

6. ADMINISTRATOR'S REPORT

Mike Pollocoff:

All I have, Mr. President, is just to update you on one of the construction projects that the Village is involved with and that's at the park and ride. That's that State grant project we have. It's also part of the Tax Incremental District. If you recall back the Village had to undertake the bridge work ourselves because of the high bids that were received. And since that time public works has been working on the bridges. They have the car bridge; they got that installed essentially within a week. They're going to take delivery of the pedestrian bridge on Thursday I believe it is. So if you have time available to go out there and take a look they have the cranes out and they set that up. They've begun clearing the site, so if you go down Terwall Terrace you can really get a good view now of what the parking lot looks like and how it's going to work in the area. So that work is well underway, and we'll be glad to get those guys back on their other assignments once they get done building bridges. That's all I have, Mr. President.

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John Steinbrink:

Thank you.

7. UNFINISHED BUSINESS

- A. Consider the request of VIDHYA Corp. VIII, Inc. to implement a payment plan for delinquent invoices so the liquor and cigarette licenses for the premises known as BP AM/PM located at 10477 120th Avenue can be issued.**

Michael Serpe:

Move to remove from the table.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris.

SERPE MOVED TO REMOVE ITEM 7A. FROM THE TABLE; SECONDED BY KECKLER; MOTION CARRIED 5-0.

Jane Romanowski:

Mr. President and Board members, the bill that we talked about last time, \$67,000 and some odd dollars for the license fees and the invoices was paid the day after the meeting so there is no issue and I would request that the item be removed from the agenda.

Steve Kumorkiewicz:

So moved.

Clyde Allen:

Second.

John Steinbrink:

Motion by Steve, second by Clyde. Any discussion?

KUMORKIEWICZ MOVED TO REMOVE ITEM 7A. FROM THE AGENDA; SECONDED BY ALLEN; MOTION CARRIED 5-0.

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8. NEW BUSINESS

- A. Receive Plan Commission recommendation and consider a Certified Survey Map to develop a Costco and associated gasoline facility on the property generally located between 76th Street and Prairie Ridge Blvd., and 91st and 94th Avenues in the Prairie Ridge Development.**

John Steinbrink:

With that you want to take Item B also then?

Jean Werbie-Harris:

Yes, please.

- B. Receive Plan Commission recommendation and consider Ordinance #14-23 for a Zoning Text Amendment to create the specific Planned Unit Development (PUD) requirements for the development of a Costco and associated gasoline facility on the property generally located between 76th Street and Prairie Ridge Blvd., and 91st and 94th Avenues in the Prairie Ridge Development.**

Jean Werbie-Harris:

Mr. Chairman and members of the Board and the audience, this is a request for Costco Wholesale Corporation to develop the property just south of 76th Street north of Prairie Ridge Boulevard between 91st and 94th Avenues. This development is proposed in the Prairie Ridge development of Pleasant Prairie. This is a planned commercial area. And so the comprehensive plan, the neighborhood plan are both in place for this particular use. They are requesting a zoning text amendment which includes a PUD this evening as well as a certified survey map for this particular property.

The property is currently zoned B-2, Community Business District, and there has been a considerable amount of work that's been done with respect to traffic impact analysis studies for this particular area of the Village. Specifically two different studies were done by VK as part of the initial development of the entire commercial and residential area. It was updated again with the Shoppes at Prairie Ridge and updated again for the hospital development. There is going to need to be some additional traffic analysis work just at that intersection of 94th Avenue and 76th Street.

The facility is proposed to be 149,505 square foot warehouse/retail building which includes an 8,631 square foot attached accessory tire center, and an enclosed 4,090 square foot entrance canopy food service center as well as an employee break room, locker area and fire pump room. The total for the entire footprint is 153,962 square feet. In addition, there's going to be a gasoline fueling facility which includes 16 pumping positions with four free standing islands. The gasoline facility is proposed to be located in the very northwest corner of the property, and the main Costco facility backs up to 91st Avenue.

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Costco sells a variety of items including grocery, candy, appliances, television and media, apparel, health and beauty aids, tobacco, furniture, office equipment. They also offer tire installation, pharmacy, one hour photo, hearing aid, optometry and travel services. So they offer a great deal of variety with respect to the products and produce within their store.

One of the items I would like to just touch base on specifically on this project is that at the time originally that Prairie Ridge was laid out and the Holiday Inn Express, at that time the Hawthorne Hotel had been constructed, there was a cross-access easement that crossed from the Holiday Inn property today through what is going to be the Costco property and then exited out onto Prairie Ridge Boulevard. Since there is no interconnection or cross-connection encouraged with truck traffic or employee traffic or customer traffic, it's recommended that Holiday Inn adjust and relocate their driveway so it has a direct access to Prairie Ridge Boulevard and this cross-access driveway area be eliminated as part of Costco's construction work on the site.

The staff has been working with Costco and Holiday Inn and has already drafted a vacation of the cross-access easement, and there will be an agreement that will be entered into between the two parties. Again, typically we encourage cross-access, but in this particular case due to the size of this wholesale warehouse facility and the traffic and to really keep that separation of that traffic between the two we felt that this would be an appropriate thing to do.

The hours of operation for Costco are Monday through Friday 10 a.m. to 8:30 p.m., Saturday 9:30 to 6, Sunday 10 to 6. The gas station is proposed to have hours from 6:30 a.m. to 10:00 p.m. Deliveries per the Village code to be 6 a.m. to 10:00 p.m. And as mentioned at the Plan Commission, we had a public hearing and this was discussed in detail, approximately 150 employees would be employed by Costco with about 50 percent of them being full time and 50 percent being part time. The illustration provides a good rendition of the entrance of what the Costco facility would be looking like, and then the canopy for the gas station on the side view.

A total of 692 parking spaces including the required handicap accessible spaces are going to be provided by Costco for this facility. The facility is expected to generate about 720 new automobile traffic trips during the weekday and evening peak at about 360 entering and exiting the site. And there will be approximately 8 to 10 trucks per day. Again, the intent is that since the loading dock is down in this corner right here that truck traffic will come in from Highway 50 down 91st and come into the site at this location. For fueling purposes this is 76th Street. They will be coming in off of the entrance off of 76th and coming into the site and then coming down and then exiting.

Again, for perspective this is 94th Avenue, Prairie Ridge Boulevard, 91st Avenue and 76th Street along the north. So to this site the main entrance will be off of 94th Avenue with a boulevard entrance. There will be another entrance off of 76th Street, a third entrance off of 91st Avenue across from BMO Harris Bank, and then a final fourth entrance off of 91st Avenue at the south end. This is really intended to be more of the truck entrance as well as the employee entrance. The way the turning radius movements will be set up this will also allow for fire trucks that are coming down Prairie Ridge Boulevard to come up and then enter at this location as the fire equipment is going to be at that south side.

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With respect to pedestrian access and landscaping the red arrows indicate some pedestrian movements that if there are pedestrians walking on the sidewalk on 76th or 94th Avenue that this is actually going to be a pedestrian sidewalk that walks through the parking lot. There will be curbing on either side to protect the walking pedestrian, and the same thing will occur here from 94th Avenue to the front of the store. Their front entrance is really on the corner of the building.

One of the other things that I'd like you to note is that there is a great deal of landscaping on this particular project and site, very comparable if not excessively more than what we have at the Shoppes at Prairie Ridge. They've been known for their very nice landscaping, the size, the quantity, the location and how it blends in with the development within the area. And they have done that with respect to the landscaping on the site as well.

There are some comments and conditions that need to still be addressed as part of the final site and operational plans, and that includes some additional berming and planting just right down here. But some of these berms are between six to eight feet in height plus good six to eight foot high trees planted on top of that. And in particular Holiday Inn is located at this location. There's a retaining wall because we have some grade changes right here plus the berming plus the landscaping.

I had an opportunity to visit with the owner and manager at the Holiday Inn Express as well as Cobblestone development to the south, St. Anne to the southeast, and I think my staff talked to someone at BMO Harris as well, and no objections, all support for the project. They really had no concerns. They think it's great to bring this new development to Prairie Ridge, and they're excited that the field is going to be developing with new retail development in this area.

A couple of other things with respect to the stairs that you can see on this east side, there are stoops from exits on the east side, and those stoops do need to have sidewalks that connect to a hard surface per the fire department. So whether that goes on an angle east and then north or it connects between and then goes east, depending on the grade that will get worked out so there will be sidewalks on that east side from the building.

The second item on the agenda tonight is the certified survey map. Lot 1 for the Costco development is 17.54 acres of land. Again, it has frontage on four public roadways. The CSM shall show all existing easements and dedication and easement language. That's all been prepared in draft and provided to Costco already for them to review. Additional right of way will need to be dedicated for 94th Avenue right at that very northwest corner. As part of the Highway 50 expansion project they are going to be doing some widening of 94th Avenue from Highway 50 down to 76th Street, and they're going to be needing just a little bit additional right of way on that west side. And so we're looking for that dedication to be shown on the certified survey map.

And when I indicated earlier that they were going to be doing a little review of that traffic in that area just to accommodate the turn movements right now we have east/west stop conditions but no north/ south stop conditions, and that does need to be evaluated so that we can get traffic to flow in and out of there in good fashion.

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The zoning text amendment this evening is a PUD overlay. Again, as I indicated, the property is zoned B-2, Community Business District. And the PUD does allow for some variations or modifications to the Village zoning ordinance. And I've listed on the slide some of those modifications. The Costco building does exceed the 25,000 square foot minimum as I indicated earlier. It's just over 153,000. It fits in very nicely with the larger big box in the Prairie Ridge area since it is really a regional shopping center, regional destination.

Some of the other dimensional variations in the PUD include modifying the driveway setback adjacent to Holiday Inn from 20 to 8.8 feet; modify the driveway entrances on all sides of the site from 35 to 40 foot in width. And, in fact, I think that the fire department might have been asking for 45, is that correct, we'll address that. Modify the building size and to allow for two buildings in the property. There is going to be a very small building right here. It's for equipment. It's for the one gas station attendant to be located in that facility while the pumps are operating. So it's a very, very small little building that will be there. The second building is the main Costco building.

The canopy setback to 30 feet, modify the signage from 75 square feet to 80 square feet. They'll have signage on the gasoline canopy. And modify signage for the main building from 300 to 500 square feet. They're still focused on having signage on two sides, but because of the size of the building to put tiny signage on that building would look out of proportion. So we've recommended that that be increased slightly.

A couple of other modifications, they're requesting a two week outdoor Christmas tree tent truck sale in December of each year adjacent to the building. Conditions indicate that they do still need to get a Christmas tree license from the Village Clerk. Modify lighting standards height 30 feet from grade including the 36 high concrete bases, again, provided that they're all located within landscaped islands. And then modify the building materials to allow the stucco appearing metal panel materials, not smooth or ribbed metal panels, on a couple of the sides of the building.

We had some concerns initially. We went down and have seen all of their other sites, and actually it looks very, very nice. And it's a well maintained material. It's very low maintenance and very energy efficient. So one of the things we talked about at the Plan Commission meeting is we went in pretty much detail about the sustainability of this building and the amount of skylights that they use in order to reduce the amount of actual lighting in the store. Ted can answer any questions that you may have with respect to that.

One of the other things that we talked about in detail as part of the public hearing is the community benefit as a result of the Costco facility. Again, we went into the building materials that they're using, the textured panels, the split based CMU, structural brick. They've got lannon stone and accent steel materials and architectural features on most of the sides of the buildings. The garage doors for where they're doing the tire work facing the north they're going to have decorative glass doors at that location. So it's going to fit in and look very nice with the Prairie Ridge development. And, again, the hotel as well as Cobblestone and adjacent neighbors were very positive with respect to the architectural appearance of the building. In addition they've also received the architectural approval from the commercial owners association as well.

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That sustainable practice design approach, again I've listed here. I won't go through every one in detail. But they are very innovative with respect to their site development and their building design. Again, some of the things I'd like to highlight they intend to utilize local and regional labor and market materials, reduce heat island effect with light reflective roof coatings, centralized energy management system to maximize their efficiencies of their HVAC and lighting and other refrigeration systems. They're achieving Energy Star rating for their skylights.

Their heat reclaim system within the refrigeration system is used to heat the warehouse water. Refrigeration is based on an atmosphere friendly cooling system, high efficiency restroom fixtures and use of native species for landscaping and drip irrigation. So they're really trying to make a very sustainable site here in Pleasant Prairie. Again, some of the other things with respect to the panels we talked about, the energy efficiency, the LEED credits, the energy code, lower energy costs. So with the way the building is designed they'll achieve lower energy consumption for heating and cooling over the lifetime of the warehouse.

Some additional community benefits which we highlighted at the Plan Commission meeting as well is that Costco pays among the highest wages in the industry. The U.S. average hourly wage is \$20.90. They specifically list what a service assistant, service clerk and meat cutters make and their pay ranges. Long-term employees are eligible for extra checks of \$5,000 to \$8,000. They provide a tremendous benefit package including full medical, dental, vision, pharmacy, healthcare, mental health, disability, long-term care, employee assistance program, flexible spending accounts, stock purchase programs. They provide holidays to their employees, so this is not one of those stores that's needing to be open 24 hours on black Friday, that their employees are able to spend time with their families. College student retention program, Costco memberships with rewards, part-time employees working more than 23 hours per week receive medical, dental and vacation benefits after six months. Part-time employees are guaranteed 24 hours per week, and they promote from within. Therefore, they're offering a lot of great opportunities for the employees with particular company.

Those are all the things that cover the community benefit. Again, they are requesting a planned unit development as part of Ordinance 14-23, and that community benefit is clearly defined. And they're also looking for the certified survey map for the particular lot being created. Again, a couple of other things. This went before the Plan Commission for preliminary site and operational plan at their last meeting and received approval. Costco will need to come back one more time for final site and operational plan approval as the internal and final detailed engineering plans have been prepared.

One of the other things with respect to the engineering is that they are making some modifications to the stormwater detention basin that's located just to the east/southeast of this particular site as required by the Wisconsin DNR. They are required to create a wet basin from the dry basin, so they'll be doing that offsite work for this particular project as well. With that, the staff recommends approval as does the Plan Commission. And Ted Johnson is here representing Costco to answer any questions you may have.

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Michael Serpe:

Jean, with reference to the loading dock and it's closest to the Holiday Inn and the Cobblestone was there any discussion on semis as they're unloading about idling?

Jean Werbie-Harris:

Yes. There's actually a provision in the staff comments that vehicles are not to be left idling for long periods of time. Again, the way it was explained to me, and Ted can possibly address this, is that they don't bring in six or eight trucks all at the exact same time. They kind of bring one, then two then they unload it, then three. I mean they kind of stage them as they come in. But it's not intended to have them all lined up sitting there idling at that location.

Michael Serpe:

I'd move approval of the certified survey map.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve for adoption of the certified survey map. Any discussion?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CERTIFIED SURVEY MAP TO DEVELOP A COSTCO AND ASSOCIATED GASOLINE FACILITY ON THE PROPERTY GENERALLY LOCATED BETWEEN 76TH STREET AND PRAIRIE RIDGE BLVD., AND 91ST AND 94TH AVENUES IN THE PRAIRIE RIDGE DEVELOPMENT SUBJECT TO THE CONDITIONS SET FORTH BY STAFF; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

Jean Werbie-Harris:

And that's subject to all the comments and conditions as outlined?

Michael Serpe:

Yes.

Steve Kumorkiewicz:

Subject to, yes.

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Clyde Allen:

Motion to approve Ordinance 14-23.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike for adoption of Ordinance 14-23 for a zoning text amendment.
Further discussion?

ALLEN MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #14-23 FOR A ZONING TEXT AMENDMENT TO CREATE THE SPECIFIC PLANNED UNIT DEVELOPMENT (PUD) REQUIREMENTS FOR THE DEVELOPMENT OF A COSTCO AND ASSOCIATED GASOLINE FACILITY ON THE PROPERTY GENERALLY LOCATED BETWEEN 76TH STREET AND PRAIRIE RIDGE BLVD., AND 91ST AND 94TH AVENUES IN THE PRAIRIE RIDGE DEVELOPMENT, SUBJECT TO THE CONDITIONS SET FORTH BY STAFF; SECONDED BY SERPE; MOTION CARRIED 5-0.

John Steinbrink:

I think we're going to be pretty happy to see Costco come in. We've got a lot of Costco customers here.

[Inaudible]

John Steinbrink:

I've had the opportunity to visit a lot of Costco's across the country, Florida, Texas, you name it. And every place you guys have built one you've really blended into the neighborhood there. And pretty impressive to see that. As Jean said your landscaping is second to none when it comes to doing that. And the cleanliness of the facility is just unbelievable. And your staff is friendly and I guess everybody is happy and the customers are happy. We welcome you here.

Michael Serpe:

Out of all the comments, John, that I've heard not one negative on Costco coming in. All positive. That's good.

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Mike Pollocoff:

The nicest Costco I was at it was in Maui, and it was like a regular Costco but the food court and everything was all open air. It was really big. It was well attended. Very nice building.

[Inaudible]

C. Receive Plan Commission recommendation and consider the request to amend the Access Restriction for Lot 162 in Village Green Heights Addition #1.

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, this is a request by MPF Builders, LLC to amend the access restriction for Lot 162 in the Village Green Heights Addition #1 Subdivision. Specifically the petitioner is requesting to amend the access restriction that's currently on the Village Green Heights Addition #1 final plat in order to allow a home to be located on the property with their direct driveway access to Cooper Road as opposed to the adjacent 99th Street as shown on the access restriction.

The driveway as proposed would be a minimum of 100 feet from that nearby intersection. And based on looking at the engineering plans and discussing it with the Village engineers the way the site was graded, the way the infrastructure was installed it is more appropriate and better designed in order to access off of Cooper Road. The other direction makes it very difficult, and the grades make it very problematic for sewer and water as well as driveway.

So with that the Plan Commission recommended that the Village Board approve the modified access restriction, and the Village engineers and the staff agree. The red star identifies where specifically that the Village Green Addition #1 lot is located in the north central portion of the Village Green Heights Development.

Steve Kumorkiewicz:

So moved to approve.

Clyde Allen:

Second.

John Steinbrink:

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

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER THE REQUEST TO AMEND THE ACCESS RESTRICTION FOR LOT 162 IN VILLAGE GREEN HEIGHTS ADDITION #1; SECONDED BY ALLEN; MOTION CARRIED 5-0.

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D. Receive Plan Commission recommendation and consider Resolution #14-24 for a Floodplain Boundary Adjustment for the proposed Park and Ride facility in Prairie Springs Park.

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, this is a request by the Village of Pleasant Prairie for a floodplain boundary adjustment, Resolution 14-24, and this is for the park and ride facility in Prairie Springs Park. The park and ride facility is located just south of the RecPlex parking lot north of Highway 165 and just to the south of Terwall Terrace east of the ball fields.

As part of the development of the park and ride lot there was a small area of the property that was located within the 100 year floodplain. In order to accommodate the development of the park and ride lot approximately 130,900 cubic feet of floodplain is to be filled, and 134,630 cubic feet of floodplain is proposed to be created and filled in order to compensate for that area. The Village is actually in the process of constructing two crossings over that unnamed tributary 5 at the Des Plaines River UT5, and a park and ride lot is proposed to be completed by this fall.

The affected reach of the stream is bounded by the downstream end of 165. The regulatory floodplain elevation of 676.1 pursuant to the FEMA FIRM maps with an effective date of June 19, 2012 within the project reach is created by the backwater from the Des Plaines River which is downstream of 104th Street. Again, this is a very minimal floodplain boundary adjustment to address the park and ride lot facility.

This is a matter that was before the Village Plan Commission at their last meeting as part of a public hearing. The Wisconsin DNR as part of their relationship with Wisconsin DOT has already approved this adjustment. So some final follow-up work with FEMA will be required following the completion of this project. The cut and fill analysis as proposed meets with all of the requirements of the Village's floodplain ordinance and is consistent with all the regulations of the Village ordinances as well as the Wisconsin DNR requirements. The staff recommends approval subject to a conditional letter of map revision based on fill being waived, but a letter of map revision based on fill being filed with FEMA, again, once the work is all completed.

Kris Keckler:

Move to approve 14-24.

Steve Kumorkiewicz:

Second.

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John Steinbrink:

Motion by Kris, second by Steve for adoption of 14-24. Any further discussion? It's amazing this was once a farm with no swamps, and then a gravel pit. Now it's become a point of great change.

KECKLER MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #14-24 FOR A FLOODPLAIN BOUNDARY ADJUSTMENT FOR THE PROPOSED PARK AND RIDE FACILITY IN PRAIRIE SPRINGS PARK; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

E. Consider Ordinance #14-24 to Amend Chapter 250 of the Municipal Code relating to discharging a Bow and Arrow or Crossbow.

Mike Pollocoff:

Chief, why don't you come up and explain the reason for this ordinance change.

Chief Smetana:

Good evening. The ordinance change is really prompted by the enactment of Act 71 in late 2013. The real change of it is the DNR and the State of Wisconsin making changes in where hunting would be allowed, trying to open up more hunting space. That's according to the DNR. So there were some changes involved here. One of them was people could hunt up to 100 feet away from a dwelling. They could hunt closer than that with the permission of the person who owns that dwelling. And if they're going to bow hunt from property it's got to be at a downward angle. Those are the two biggest changes within Act 71. And no other local regulations are allowed to control it.

John Steinbrink:

When you say a downward angle do you mean from a tree stand or point of elevation?

Chief Smetana:

The Act doesn't specify. If I'm aiming from a standing position at a downward angle then it would qualify according to the DNR.

John Steinbrink:

So it's got to be close.

Chief Smetana:

I think they're anticipating people hunting from tree stands but it doesn't qualify that.

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Michael Serpe:

Chief, this doesn't have any effect on our site by the ball fields you have the bow and arrow.

Chief Smetana:

The archery lanes.

Michael Serpe:

The archery lanes, yeah. They're not shooting to the ground on that one.

Chief Smetana:

As far as for target practice goes?

Jane Romanowski:

They're not hunting.

Michael Serpe:

They're not hunting but the arrow is going horizontal.

Chief Smetana:

Quite honestly, yeah, this talks about hunting. But I think if those targets were put up, if we looked into it and those targets were put up lower than what the person is shooting at then they are shooting at a downward angle.

Michael Serpe:

I didn't know we had a problem. I move approval of Ordinance 14-24.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve for adoption of Ordinance 14-24. Any further discussion?

SERPE MOVED TO ADOPT ORDINANCE #14-24 TO AMEND CHAPTER 250 OF THE MUNICIPAL CODE RELATING TO DISCHARGING A BOW AND ARROW OR CROSSBOW; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

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F. Consider Ordinance #14-25 to amend Chapter 250 of the Municipal Code relating to unlawful use of computerized communication system.

Chief Smetana:

This item has been amended because of the evolution of technology I guess. The only item we had adopting State law was the unlawful use of a telephone which was the primary way that people were harassing each other using technology. Now that we've gotten into it now you can see the advancement of whether it's computers or some handheld devices so it goes a little bit further into that. And we just wanted to make sure we were covered. So we amended the local ordinance to cover that.

Clyde Allen:

Motion to approve Ordinance 14-25.

Michael Serpe:

Second.

John Steinbrink:

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

ALLEN MOVED TO ADOPT ORDINANCE #14-25 TO AMEND CHAPTER 250 OF THE MUNICIPAL CODE RELATING TO UNLAWFUL USE OF COMPUTERIZED COMMUNICATION SYSTEM; SECONDED BY SERPE; MOTION CARRIED 5-0.

John Steinbrink:

Thank you, Chief.

G. Consider Ordinance #14-26 to amend Chapter 370 of the Municipal Code relating to the Building and Mechanical Code.

Mike Pollocoff:

Mr. President, our superintendent for building inspection, Sandro Perez, prepared an update to Chapter 370. And this is similar to what we've done prior to recodification; it's getting our ordinance in line with the State Statutes that govern his activities. And we've also revised what's required for residential electric service updates and commercial low voltage permit applications which are really modifications. So with that unless there's any questions for Sandro I'd recommend that the amendments and changes to Ordinance --

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Michael Serpe:

Are these drastic upgrades?

Mike Pollocoff:

I don't believe they are. Sandro, you want to --

Sandro Perez:

Good evening.

John Steinbrink:

Just give us your name and address for the record.

Sandro Perez:

Sandro Perez, 6137 109th Avenue, Kenosha, Wisconsin.

Michael Serpe:

Village Hall is fine.

Sandro Perez:

Just going through Article 370 primarily it was maintenance, a lot of just update. The codes weren't accurate with the current codes. So updating the codes. The fees did not reflect the fees that are on our handouts at the counter. So we had to update the fees. Update the enforcing department which is the building inspection department. It used to read community development department. And then I made a change to the residential service upgrades so it's more in line with what's being done in this area and in line with the new NEC, National Electric Code.

And then I think one of the bigger impacts that really came from the contractors out there was a separate low voltage permit application. Before we used to have a commercial electrical permit application. And the low voltage application was pretty much the same thing except it had a line item 22 that was all inclusive. Anything low voltage you just check off line item 22, so it was very confusing for a low voltage contractor to fill out the application and what we were looking for. So I ended up making a separate low voltage permit application that's specific to low voltage work.

Now these contractors can go in there, they understand it, it applies to what they're doing. They can fill out that application. And, again, primarily maintenance, making sure the wording all matches States Statutes, current codes, and making sure that the fees match the actual paper copy we give the customer, the client at the counter.

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Michael Serpe:

So this is basically housekeeping.

Sandro Perez:

Housekeeping, that's all it is.

John Steinbrink:

What are some examples of the low voltage applications?

Sandro Perez:

The low voltage applications show control panels, power supplies, requests to [inaudible], car readers, keypads, magnet switches, cameras, indoor/outdoor speakers, receivers, TV jacks, thermostats initiating signaling devices. We've got low voltage VAVs, dampers, low voltage signs. So we've got about 29 items here that were not covered on our electric permit. So it just makes it a little bit more friendly for the low voltage contractor to come out and fill the application. And the low voltage wiring fees per linear foot of wiring that they're installing. So it's just trying to create a separate between the two different permits.

Michael Serpe:

I would move approval of 14-26.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Any questions, comments?

Steve Kumorkiewicz:

I have a question. That means you have to have two permits in a building, one for high voltage, one for low voltage.

Sandro Perez:

Correct, for electrical.

Steve Kumorkiewicz:

Electrical I'm talking about, yes.

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Sandro Perez:

Just electrical, correct, there will be two permits. There will be a high voltage permit and a low voltage permit. And the other reason is there was some confusion is the electric permit requires a licensed electrician so we need a State license number. For low voltage work you're not required a license. So that also helps with the separation. A low voltage contractor doesn't have to worry. We would get a lot of phone calls do I need a license, where do I get a license, why do I need a license? We don't need to worry about getting those phone calls.

John Steinbrink:

So would this cover cable installation? Would that be considered low voltage?

Sandro Perez:

Yes, like coax.

John Steinbrink:

So the cable man comes out and he needs a low voltage permit to run cable?

Sandro Perez:

Interior yes, anyone doing interior work on a residential building or commercial building. For instance cobblestone they're running miles of coax cable. They would require a permit, and we would be inspecting that work to make sure it's code compliant. So anything that is enforceable by the NEC requires a permit which would require an inspection.

Steve Kumorkiewicz:

I have a question. You say the permit is going to be charged according to the footage, how many feet of coax cable of whatever you need?

Sandro Perez:

Correct.

Steve Kumorkiewicz:

And what is the cost of that?

Sandro Perez:

Low voltage signaling communication cable to minimum \$10 or 1 cent per foot.

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Steve Kumorkiewicz:

Okay, thank you.

Sandro Perez:

The more cable they install the more time we spend there inspecting.

John Steinbrink:

Further comment or question?

SERPE MOVED TO ADOPT ORDINANCE #14-26 TO AMEND CHAPTER 370 OF THE MUNICIPAL CODE RELATING TO THE BUILDING AND MECHANICAL CODE; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

H. Set 2014 Halloween Trick or Treat Date and Time.

Mike Pollocoff:

This is the hallmark and pinnacle of home rule in Wisconsin where local governments are allowed to establish when Halloween can happen. And while we're still able to do that I'd recommend that this Board exercise that right with all the due diligence and thoughtfulness of this one last thing that we have sole control over. So have at it, gentlemen.

John Steinbrink:

They do come back in session for September for a short period.

Mike Pollocoff:

They could take this away before the pumpkins start.

Jane Romanowski:

So the City of Kenosha has scheduled theirs for Friday, October 31st on Halloween. So in standing with what the Board has previously done it would be Sunday, October 26th from 3 to 6 p.m.

Steve Kumorkiewicz:

So we'd be doing it on Sunday, no Friday.

Jane Romanowski:

Your decision tonight.

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Michael Serpe:

I'd like to make a comment on this. I agree with the Sunday trick or treating. And if I'm not mistaken subdivisions in this Village could organize it themselves and have their own trick or treat time on the night if they wish, is that right?

Mike Pollocoff:

Some have done it.

Michael Serpe:

And we're not going to stop that from happening. So if they want to trick or treat on Friday night between whatever that's their right if they want to organize it. But as far as us setting the times I still agree on daylight hours on a Sunday afternoon between 3 and 6 is the safest time for these kids to be out, and I think we should stick by that.

John Steinbrink:

Last year there was some controversy with some children double dipping Friday and then Sunday. Some of these neighborhoods were just totally overwhelmed. I'm not sure how we address that. Turn the light off, yeah.

Michael Serpe:

But you don't personally have to worry about that, do you, John? My motion is from Sunday 3 to 6 on October 26th.

Clyde Allen:

I'll second that.

John Steinbrink:

Motion by Mike, second by Clyde for adoption of October 26th, Sunday as Halloween trick or treat date and the time 3 to 6. Any further discussion?

SERPE MOVED TO SET SUNDAY, OCTOBER 26, 2014 FROM 3 P.M. – 6 P.M. AS THE VILLAGE'S HALLOWEEN TRICK OR TREAT SCHEDULE; SECONDED BY ALLEN; MOTION CARRIED 5-0.

I. Consider Operator License Applications on file.

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Jane Romanowski:

There are four of them on tonight, and I would recommend approval of all four of them.

Steve Kumorkiewicz:

So moved.

Kris Keckler:

Second.

John Steinbrink:

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

KUMORKIEWICZ MOVED TO APPROVE THE OPERATOR LICENSES FOR ELIZABETH M. GERDT; JUSTIN V. LIPPERT; JONATHAN A. MELCHER AND MELISSA L. ZOUGRA-ROJAS; SECONDED BY KECKLER; MOTION CARRIED 5-0.

9. VILLAGE BOARD COMMENTS

John Steinbrink:

I'd just like to comment on yesterday's event at the park, the veterans planting of the oak trees. Very nice - well represented members. Family members were there. Terry did a great job on an article in the *Kenosha News*, classy article. And it really explains what the mood was out there. It was a great even. A lot of people and press. First time some of them got to see Ingram Park out there. Very impressed with the hiking trails, the ponds, the dog facility. And now the veteran's dedication out there with the bench and also home to a lot of Eagle Scout projects out there. I think John has said there's more on the way to be done out there. So it's a win-win for everybody.

Michael Serpe:

The day was very nice, the event was beautiful. Your comment at the end about the treatment that these soldiers received when they got back in the country was just not good, and John did a real nice job on addressing that. Again, a very nice day for a very worthy cause as far as I'm concerned.

John Steinbrink:

That was the generation some of us grew up with and we saw it and it wasn't right.

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Michael Serpe:

It wasn't right, I agree.

John Steinbrink:

Further comments?

- 10. Consider Entering into Executive Session pursuant to Section 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.**

Clyde Allen:

Make a motion to go into Executive Session with a roll call vote please.

Michael Serpe:

Second.

John Steinbrink:

Motion by Clyde, second by Mike. Roll call vote.

ALLEN MOVED TO ENTER INTO EXECUTIVE SESSION PURSUANT TO SECTION 19.85(1)(C) TO CONSIDER EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY; SECONDED BY SERPE; ROLL CALL VOTE – JOHN STEINBRINK – AYE; KRIS KECKLER – AYE; STEVE KUMORKIEWICZ – AYE; CLYDE ALLEN – AYE; MIKE SERPE – AYE; MOTION CARRIED 5-0.

John Steinbrink:

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

11. RETURN TO OPEN SESSION AND ADJOURNMENT

After discussion held in closed session, **SERPE MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY KECKLER; ROLL CALL VOTE – JOHN STEINBRINK – AYE; KRIS KECKLER – AYE; STEVE KUMORKIEWICZ – AYE; CLYDE ALLEN – AYE; MIKE SERPE – AYE; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7:25 P.M.**