

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

A regular meeting of the Pleasant Prairie Village Board was held on Monday, September 15, 2014. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Steve Kumorkiewicz and Mike Serpe. Clyde Allen was absent. 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; Carol Willke, HR and Recreation Director and Jane M. Romanowski, Village Clerk. Three citizens attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - SEPTEMBER 15, 2014**

Steve Kumorkiewicz:

Move to approve.

Kris Keckler:

Second.

John Steinbrink:

Motion by Steve, second by Kris. Any additions, corrections?

KUMORKIEWICZ MOVED TO APPROVE THE MINUTE OF THE SEPTEMBER 15, 2014 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KECKLER; MOTION CARRIED 4-0.

- 5. CITIZEN COMMENTS**

Jane Romanowski:

We have one signup tonight, Douglas Stichert.

Village Board Meeting
October 6, 2014

John Steinbrink:

We ask that you give us your name and address for the record.

Douglas Stichert:

Douglas Stichert, 8278 60th Avenue, Pleasant Prairie. The reason I'm here is the attention that the consideration for stop signs on Highway C, Highway H, Bain Station Road, all that stuff that's going on. And I thought it would be a good time to bring it back in front of your attention. I've been in front of you before over the years, Mr. Pollocoff may recall, regarding the traffic on 60th Avenue between 82nd Place and 85th Street. We have approached the Village before regarding traffic controls and stop signs. And what I'm reading in the paper regarding Highway C sounds to me the same argument I've got is like they want to control traffic, they want to do something. It doesn't make sense. It doesn't add up.

With that in mind I'd also want to like remind the Village on a regular basis I call the police department, I've met the Chief, both Chief Wagner and now the new Chief Smetana, and the number of trucks that go down 60th Avenue, you know what, I can get past the speeding cars and the traffic and what have you, but from the Village's standpoint the number of semis that go down 60th Avenue I have physically stood on the curb waved them down. Been told by the police department that I could be charged with disorderly conduct, and have pointed out to the truck drivers this is not a truck route. And then they give me the baloney about, well, my GPS does this and that.

You know what, again, those combinations of things you're talking about addressing the traffic with the new roundabout and all that stuff, well, now we're back to where I was since I moved into that home ten years ago. Whether it's some type of a traffic control, I've talked to the Chief about the cameras that you have as an option, and we've discussed civil liberties and those types of things. But if you start taking some pictures and start giving some truckers tickets for being on a non-truck route when it's plainly marked, we all know Green Bay Road at the turn lane tractor driver height there's a sign that says no trucks, 7,000 empty weight. There are flags on those posts, and people continue to drive. And when you turn the corner into 85th Street there's an additional sign that says no trucks.

We worked with ABC, we worked with Ocean Spray. We have called them. They say they do what they can on their end. I think if the Village and the County are looking at traffic controls based on what's going on on Highway C, H and Bain Station Road I'd like them to revisit what's going on on 60th Avenue. That's all I really have to say. I know nothing is going to happen right now, this is just a comment. But, again, I read the paper and I see this thing. I went online; I filled out the survey regarding that. I drive those roads every day going to and from work. I don't agree with putting stop signs there for that reason. But if that's what you're considering doing I want it to be considered in my neighborhood, too. Thank you very much.

John Steinbrink:

Thank you.

Village Board Meeting
October 6, 2014

Jane Romanowski:

No other signups tonight, Mr. President.

John Steinbrink:

Anyone else wishing to speak under citizens' comments?

6. ADMINISTRATOR'S REPORT – None.

7. NEW BUSINESS

A. Receive Plan Commission recommendation and consider a Development Agreement and the Consent to Development Agreement related to a portion of the required public and private improvements specified in the original Agreement for the Arbor Ridge development and for additional public improvements to serve The Addison of Pleasant Prairie, the proposed Senior Lifestyle Community, generally located south of Prairie Ridge Boulevard and east of 97th Court within the Prairie Ridge development.

John Steinbrink:

Are there more of these coming together here, Jean?

Jean Werbie-Harris:

Items A through F.

[Inaudible]

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris to take up Items A through F.

B. Receive Plan Commission recommendation and consider a Correction Instrument related to an error in the legal description and drawing for Certified Survey Map 2064 for the property located at the southwest corner of Prairie Ridge Boulevard and 96th Avenue.

- C. Receive Plan Commission recommendation and consider a Certified Survey Map for the proposed Senior Lifestyle Community that will provide 96 senior living units on the property generally located south of Prairie Ridge Boulevard and east of 97th Court within the Prairie Ridge development.**
- D. Receive Plan Commission recommendation and consider Ordinances #14-29 and #14-30 for a Zoning Map and Zoning Text Amendments for The Addison of Pleasant Prairie, the proposed Senior Lifestyle Community that will provide 96 senior living units on the property generally located south of Prairie Ridge Boulevard and east of 97th Court within the Prairie Ridge development.**
- E. Receive Plan Commission recommendation and consider Ordinance #14-31 amending the Village of Pleasant Prairie 2035 Comprehensive Plan related to The Addison of Pleasant Prairie, a senior living facility with 96 units on the vacant 9 acre property generally located south of Prairie Ridge Blvd. and east of 97th Court within the Prairie Ridge development.**
- F. Consider Resolution #14-27 for the acceptance of a portion of First Phase Public Improvements for the Arbor Ridge development.**

Jean Werbie-Harris:

Mr. President and the Board and the audience, Item A is the consideration of the development agreement and the consent to the development agreement. Item 2 or B is the correction instrument. Item 3 is a certified survey map or item C. The next item, Item D, is a zoning map and zoning text amendment. Next is Ordinance 14-31 related to amendments of the comprehensive plan. And, finally, Item F is the resolution 14-27. All of these items relate to the request of the Addison of Pleasant Prairie for the proposed Senior Lifestyle Community. They're proposing to provide 96 senior living units on a property generally located south of Prairie Ridge Boulevard and east of 97th Court within the Prairie Ridge Development.

Specifically they're requesting the approval of a development agreement, a consent to a development agreement, a correction document, a certified survey map to split the property into two, some zoning map and text amendments, as well as comprehensive plan amendments. And, finally, to have the Village accept by resolution some of the improvements that were previously installed in 97th Court which is a public road in this particular development.

So a conceptual plan was previously approved for the Senior Lifestyle project back on December 9, 2013. Again, that project was Phase 1 and a Phase 2. Phase 1 is 96 assisted living units, and Phase 2 is proposed 66 senior housing units. Construction cost is estimate at \$10.5 million. Anticipated start date fall of 2014, this fall. Employees three shift 28, 24 and 8 employees respectively. As you can see, the site is bounded by Prairie Ridge Boulevard which is actually on the north, 97th Court which is a public road on the west, 96th Avenue which is a private road on the east.

Village Board Meeting
October 6, 2014

The original conceptual plan for this particular area was for the Arbor Ridge development which included senior housing, senior development, Arbor Ridge condominiums, Prairie Ridge Senior Campus. As you know, the only buildings that did move forward are the Prairie Ridge Senior Campus buildings, and they were in the northeast corner of this development site. Again, the main senior housing development went forward, and then a second villa project did go forward.

The project that we're going to be talking about this evening is located right in the center just south of Prairie Ridge Boulevard. And, again, not going to be developed just like this, but this is the Addison of Pleasant Prairie area. The existing conceptual plan from 2004 had identified that the area to the west would be developed as a condominium-type development. The reason why I'm bringing this up is this was kind of a complicated project in that the developer for the Addison project is actually going to be posting a letter of credit that incorporates public and private improvements that pertain to this entire area and extending down to 94th Avenue and this area as well. So all of the public and private improvements in this area will be completed starting this fall by the developer. All of the remaining private improvements, again, just to the west of 97th Court will be secured by a separate letter of credit from the National Bank as their main representative. And it's still based on that original concept plan.

The original development agreement was entered into in 2005 by VK Arbor with the Village. As you know that developer is no longer with us, and the new developer, which is Senior Lifestyle Development is going to be assuming the responsibilities. And we have a new development agreement that we have put together for them that sets forth not only the public improvements, the private improvements as well as any obligations that they have pursuant to completing this particular area.

With respect to the more specific improvements that are going to be required by Senior Lifestyle Development Company to complete they include 97th Court needs to be final paved. And what I mean by that we're actually doing it as a concrete road. 96th Avenue which is on the east side, again, it's a private roadway shall be paved. 96th Avenue from 86th Street to Prairie Ridge Boulevard shall be fully improved. There will be street trees installed along 97th Court, 96th Avenue and 81st Street. Again, 81st is right here. Street lights installed. Concrete sidewalk on both sides of the right of way, and sewer extension. The sewer extension to service this development is coming from over here by 98th Circle and will come into the development to service that particular area.

One of the other things that we have with respect to the development agreement is the consent document. And we have a separate consent to the development agreement that's being entered into between the Village and Senior Lifestyle, but it's also being signed on by the bank. And the bank in this consent document clearly spells out that what the responsibilities are for Senior Lifestyle, but also that the bank still has ongoing obligations.

We have an existing letter of credit that is on file that we intend to exchange that out for a new letter of credit for the remaining private improvements. We have a conceptual plan for this area that was originally approved, again, back in 2005 by the Village. And then it also addresses the fact that there is a cash amount on file with the Village of just over \$86,000 which is still being held by the Village and will be applied to the project as well. So this consent document goes

Village Board Meeting
October 6, 2014

through and identifies what letters of credit were originally submitted, what remaining balances are left and what they'll be applied to. And then, again, with respect to the remaining condominium area there's going to be an exchange of letters of credit so that we still have money even though those are private improvements. And then there will be a new letter of credit that will be provided to us by Senior Lifestyle for all of their public and private improvements.

One of the other things that we uncovered in going through this process is that a portion of 96th Avenue, I believe it was maybe the intent back in 2004 that this was going to be a public street, however we had made the determination that it was going to remain private. And somehow during the process of finalizing this certified survey map for this first building there was a strip of land 33 feet wide that didn't get attached to this particular building as part of private land, and it didn't get dedicated as public right of way, and it wasn't attached to this piece of land. So it kind of was floating out there.

And so one of the next items on the agenda is that correction instrument to correct the errors and the legal description and the drawing of the first original certified survey map 2064 that was recorded back in 1998. And, again, this is for the property at 7900 94th Avenue. And basically it places that 33 foot gap between the parcels back with the original property to the east so that there will be no gap. Again, this will be a private road between the two of them, 96th Avenue, so they have also easements between them for its ongoing maintenance and obligations for responsibilities for taking care of that particular road.

The next item is a certified survey map that's on the agenda this evening. And the Addison is requesting to create two lots, Lot 1 and Lot 2. Lot 1 is the first phase of their development which will include that 96 units. And then the second is a future senior apartment-type development. At this time there's no time frame for the development on Lot 2. So they will be grading it and then returning it to a grassy state. Again, all of the public and private improvements around the entire periphery of these two lots will be completed, inspected and accepted prior to moving forward.

The next item on the agenda, and actually this went actually before the Plan Commission so this is more for information to the Board, and there was a conditional use permit including a DSIS agreement and an access easement all of which have been approved by the Village Plan Commission.

I have the sets of the assisted living facility floor plans if there are any questions or concerns. Again, this is an item that's been before the Plan Commission and the Board. And so we've gone through the details with respect to each of the wings of this development and the memory care facilities and services and the common areas that are going to be available for their residence. This is an illustration of elevation of the front of the facility as you're facing Prairie Ridge Boulevard.

The property is currently zoned R-11 which is a Multi-Family Residential District. It currently has a UHO overlay. And, again, that UHO is removed when we have a defined user and the public improvements are ready to be completed on the site. So this area is being rezoned from

Village Board Meeting
October 6, 2014

the R-11 UHO to an R-11 PUD. Again, the planned unit development will allow for some variations, two dimensional characteristics of the zoning ordinance within that R-11 District.

Some of those PUD dimensional variations that we have supported and has gone before the Village Plan Commission, the building will be 45 feet high. There's a zero foot setback between some common interior lot lines. There's going to be a service access roadway at 37.04 feet instead of 30 feet. 96 units with a combination of memory care and assisted living units increases the density, but for this particular use we felt that this was very satisfactory. The units range in size from 300 to 816 square feet. Again, normally if you have an apartment-size development the units are much larger, but with this type of facility not all of the apartments need to be this big, and a future 66 unit living facility with underground parking on Lot 2.

Another item on the agenda for this particular project is we needed to make sure that the Plan Commission and the Board approved the comprehensive plan and to make sure that it's in sync with the zoning of the property. And one of the items was to remove the UHO or the Urban Reserve Land Use designation for this particular property. Now that we've got defined users, we've got a detailed plan and we've got the infrastructure, the Urban Reserve Land Use designation would need to be removed. This is one item that does need a roll call vote before the Village Board this evening. Those are all the items that are on the agenda this evening related to the Senior Lifestyle project. If there's any questions I'd be happy to answer them. There are also representatives here. Again, lots of different items, six items on the agenda related to this.

And then the last item that was something that they requested and we typically do, the engineer or myself could go through, is we have a resolution before you to accept a portion of the Phase 1 and the Phase 2 required public improvements that were installed in 97th Court. And the reason why I say a portion is that there's been some modifications that we're not completing this road as an asphalt roadway. It's being reconstructed as a concrete roadway with an overlay. We are approving the sanitary sewer and water and the storm sewer with some exceptions, and in the detailed cost breakdown analysis you can see that there are some corrections or maintenance work that needs to be done that is included in the letter of credit and that's referenced in the development agreement. So the resolution does accept the public improvements to date with respect to the ones that the Village has been maintaining out there.

Michael Serpe:

Doug McElmury, I don't want to put you on the spot, but we have a considerable amount of nursing home facilities and senior living, and we're going to add more. And I'm not against any of this, believe me. The only thing I'd ask you, Doug, is how many calls of service are we getting between the nursing homes and the senior citizen living? Are we getting a number of calls?

Chief McElmury:

Actually we're getting a considerable number of calls. Prairie Ridge Senior Campus and Grand Prairie are traditional our number one and two places that we go, it kind of flip flops. Ultimately it comes down to as the population ages we're going to have more and more people that we're going to be transporting as the baby boomers age. If we have a choice of do we want to pick

Village Board Meeting
October 6, 2014

them up in a house with narrow stairways and basically facilities that aren't designed for the elderly it's much more dangerous for the crew. If we get into a facility such as this that have elevators that are designed for stretchers, wide doorways, everything else, if we have a choice of which place we'd rather go to pick people up it would be a facility designed for the elderly.

Michael Serpe:

The reason I ask is I just want to make sure that we're going to prepare ourselves for the future of the baby boomers of which we have a couple up here. That we have enough services such as rescue squads and that to accommodate these places, right John? That's all I'm looking at. I just want to make sure we're going to be covered in the future. We may have to add another unit with paramedics.

Chief McElmury:

Realistically we will at some point, yes.

Michael Serpe:

And they're expensive so prepare for the future.

Mike Pollocoff:

Mr. President, through the Chair to Jean, I read through the consent to the development agreement. Has the bank indicated to what extent they're going to bring the land which they still have development responsibilities over back up to spec as far as erosion control and the grading separation that's occurring between the existing land and the pond? I mean I understand that they're committing to saying that the letter of credit is there. But I mean having the letter of credit there and then not doing any work leaves a parcel of land that the improvements we have become degraded. This last few years that sediment runoff from that condo development is running into the pond and leaving sediment in there. So it needs more active care than has been given to it. So as I went through the package there clearly isn't a contract with anybody to perform any work on that project. If they're looking to flip that piece of land and leave the letter of credit with us that's fine. But I think in the interim we have some ownership or property maintenance issues that need to take place on that piece of property. As owners they need to do it. I know we've had discussions with them for a couple of years now, and we're coming up onto the freeze season.

Jean Werbie-Harris:

I think Mike Spence can add to this. But the storm water basin that's located just to the west of the senior housing development or the Addison project that is one area that does need some work. And it's under the contract of the Addison to do the storm water management work and to correct erosion control violations and sedimentation issues with respect to that. They are getting easements -- actually they do have easement per the original final plat. So they will be doing work in that area in order to benefit their development. But they'll be doing some work in order

Village Board Meeting
October 6, 2014

to help to correct any erosion control violations that the bank has for that property at that location.
And it's in the letter of credit.

Mike Pollocoff:

Have those contracts already been awarded to contractors?

Jean Werbie-Harris:

Yes. In fact, I could have the application come up.

Mike Spence:

We have been aware of the fact that there are erosion and drainage issues with that existing pond.
So this new development will address that as part of this project including clearing out some of
the sediment in the pond.

Mike Pollocoff:

Okay, so under the development agreement that's going to be public works in the public drainage
easements. The Village will need to approve those contractors and their contracts for that portion
of the work to be done. Mike, have you done that?

Mike Spence:

No, I have not seen those contracts. I guess we need to do that.

Jean Werbie-Harris:

I've reviewed them, and I've forwarded them to you. So we will sit down as a staff and go
through them. But they are fully aware of that.

John Steinbrink:

The applicants have anything else to add? Just give us your name and address for the record.

Matt Phillips:

Sure, my name is Matt Phillips, and I'm with Senior Lifestyle. I'm the Executive Vice President,
303 East Whacker Drive, Chicago Suite 2400. I'm very pleased to be here tonight. We've been
working on this for about a year. As to that last point just on the contracts that we will let and
we've signed it subject to a notice to proceed in getting all these approvals is with a local
contractor Ganther on \$1.1 million of work. Of that \$1.1 million about \$400,000 is work that
really is associated with our site if we were just developing it. And the balance of that work,
about \$600,000, is the responsibility of the bank. And so we're doing all the work and charging

Village Board Meeting
October 6, 2014

the bank for that. So the work that you were referring to on the sediment controls and things is all part of that scope of work that we'll undertake. That will be the first improvements that we start doing.

Mike Pollocoff:

So the bank is accepting the contract with Ganther?

Matt Phillips:

No, it's our contract directly with Ganther. And then we have a credit on our purchase agreement with the bank. That's actually the name of the bank, owns this property that's selling it to us. And so our purchase agreement was for a purchase price with a credit which has now been determined based on this contract and the bank's allocable portion of the work that we said really related to the balance of their parcels or things that were in 81st Street or south of the parcel that we're buying that really had nothing to do with us that we were willing to undertake because that became a condition of us moving forward. And, quite frankly, it was in our interest to get those things all done so that they're not sitting there looking like they look like.

Mike Pollocoff:

Okay. I just encourage them to get pre-qualified.

Matt Phillips:

We have pre-qualified them, and they signed up. And the plans and specs were all part of what we submitted. The only other thing I wanted to say is we have roughly 130 communities around the country and have developed a lot of them. And I do this in small and large cities. And your staff, Mike and Jean and the other staff, really, really professional. And it gives us comfort because there's a lot of land over there to be developed, there's a lot of other things to be developed here in Pleasant Prairie. And one of the things that we liked about coming here is we looked at the quality of what was around us, and said if we can build something quality we'll also have the good planning to protect our asset in the future. So I commend them really, and hopefully you here are aware of that.

Michael Serpe:

Do we need some type of an agreement of what you're talking about with them on this?

Mike Pollocoff:

I guess it's really to the extent the contracts lay out the roles and responsibilities with the construction contractor. I haven't reviewed that. But typically when any part of a project that's going to constitute a public improvement that's going to be on an easement or public right of way or public land that contract needs to be pre-qualified and then the Village has approval rights over the contracts and the bonds to make sure that the Village is protected in those contracts with that

Village Board Meeting
October 6, 2014

work that takes place. We want to make sure that the owner is protected, but in the second instance it's going to be an improvement that at some point the Village is going to have to accept because at some level we'll have maintenance responsibilities or ultimate maintenance responsibilities should a private association or owner not maintain it. So if Jean is saying that's all done.

Jean Werbie-Harris:

We do have that. They are pre-qualified. We do have the cost breakdown analysis that's been reviewed by everyone here, Matt and Laura, myself with our attorney, and we've gone through it several times already to make sure that we have two letters of credit. And there's a very detailed cost breakdown that shows what improvements are being done by each. It's in this big packet.

Matt Phillips:

It's all in the development agreement.

Mike Pollocoff:

My other question is have the contracts been reviewed and approved with Ganther?

Jean Werbie-Harris:

I gave it to Matt Fineour and he reviewed it, yes. I'm not sure if Mike has, but Matt has.

John Steinbrink:

Thank you very much and welcome to Pleasant Prairie.

Michael Serpe:

I move approval of the development agreement and consent to development agreement.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve the adoption of the development agreement and the consent to development agreement. That's all in one?

Jane Romanowski:

Yes.

Village Board Meeting
October 6, 2014

John Steinbrink:

Alright, any discussion on this item?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION AND APPROVE A DEVELOPMENT AGREEMENT AND THE CONSENT TO DEVELOPMENT AGREEMENT RELATED TO A PORTION OF THE REQUIRED PUBLIC AND PRIVATE IMPROVEMENTS SPECIFIED IN THE ORIGINAL AGREEMENT FOR THE ARBOR RIDGE DEVELOPMENT AND FOR ADDITIONAL PUBLIC IMPROVEMENTS TO SERVE THE ADDISON OF PLEASANT PRAIRIE, THE PROPOSED SENIOR LIFESTYLE COMMUNITY, GENERALLY LOCATED SOUTH OF PRAIRIE RIDGE BOULEVARD AND EAST OF 97TH COURT WITHIN THE PRAIRIE RIDGE DEVELOPMENT, SUBJECT TO STAFF COMMENTS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

John Steinbrink:

That brings us to Item B.

Michael Serpe:

Move approval of the correction instrument.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris for adoption of the correction instrument related to an error in the legal description and drawing for certified survey map 2064. Any discussion on this item?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CORRECTION INSTRUMENT RELATED TO AN ERROR IN THE LEGAL DESCRIPTION AND DRAWING FOR CERTIFIED SURVEY MAP 2064 FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PRAIRIE RIDGE BOULEVARD AND 96TH AVENUE, SUBJECT TO STAFF COMMENTS; SECONDED BY KECKLER; MOTION CARRIED 4-0.

John Steinbrink:

That brings us to Item C.

Michael Serpe:

Move approval of the certified survey map.

Village Board Meeting
October 6, 2014

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris for adoption of the certified survey map. This is for the proposed Senior Lifestyle Community. Any discussion on this item?

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE A CERTIFIED SURVEY MAP FOR THE PROPOSED SENIOR LIFESTYLE COMMUNITY THAT WILL PROVIDE 96 SENIOR LIVING UNITS ON THE PROPERTY GENERALLY LOCATED SOUTH OF PRAIRIE RIDGE BOULEVARD AND EAST OF 97TH COURT WITHIN THE PRAIRIE RIDGE DEVELOPMENT, SUBJECT TO STAFF COMMENTS; SECONDED BY KECKLER; MOTION CARRIED 4-0.

John Steinbrink:

That brings us to Item D.

Steve Kumorkiewicz:

I'll make a motion to approve Ordinance 14-29.

Michael Serpe:

And 14-30.

Steve Kumorkiewicz:

Together?

John Steinbrink:

Will these be taken together?

Jane Romanowski:

Yes.

Steve Kumorkiewicz:

Okay, both.

Village Board Meeting
October 6, 2014

Michael Serpe:

Second.

John Steinbrink:

Motion by Steve for adoption of Ordinance 14-29 and 14-30. Second by Mike. Any discussion on Item D?

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCES #14-29 AND #14-30 FOR A ZONING MAP AND ZONING TEXT AMENDMENTS FOR THE ADDISON OF PLEASANT PRAIRIE, THE PROPOSED SENIOR LIFESTYLE COMMUNITY THAT WILL PROVIDE 96 SENIOR LIVING UNITS ON THE PROPERTY GENERALLY LOCATED SOUTH OF PRAIRIE RIDGE BOULEVARD AND EAST OF 97TH COURT WITHIN THE PRAIRIE RIDGE DEVELOPMENT, SUBJECT TO STAFF COMMENTS; SECONDED BY SERPE; MOTION CARRIED 4-0.

John Steinbrink:

That brings us to Item E.

Michael Serpe:

Move approval of Ordinance 14-31.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris for adoption of Ordinance 14-31. This one also requires a roll call vote.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORDINANCE #14-31 AMENDING THE VILLAGE OF PLEASANT PRAIRIE 2035 COMPREHENSIVE PLAN RELATED TO THE ADDISON OF PLEASANT PRAIRIE, A SENIOR LIVING FACILITY WITH 96 UNITS ON THE VACANT 9 ACRE PROPERTY GENERALLY LOCATED SOUTH OF PRAIRIE RIDGE BLVD. AND EAST OF 97TH COURT WITHIN THE PRAIRIE RIDGE DEVELOPMENT, SUBJECT TO STAFF COMMENTS; SECONDED BY KECKLER; ROLL CALL VOTE – STEINBRINK – AYE; KECKLER – AYE; KUMORKIEWICZ – AYE; SERPE – AYE MOTION CARRIED 4-0.

Village Board Meeting
October 6, 2014

John Steinbrink:

That brings us to Item F.

Steve Kumorkiewicz:

I make a motion to approve.

Michael Serpe:

Second.

John Steinbrink:

Motion by Steve, second by Mike for consider resolution 14-27 for the acceptance of a portion of the first phase public improvements. Any discussion on Item F?

KUMORKIEWICZ MOVED TO ADOPT RESOLUTION #14-27 FOR THE ACCEPTANCE OF A PORTION OF FIRST PHASE PUBLIC IMPROVEMENTS FOR THE ARBOR RIDGE DEVELOPMENT, SUBJECT TO STAFF COMMENTS; SECONDED BY SERPE; MOTION CARRIED 4-0.

John Steinbrink:

That concludes Items A through F. Thank you very much for coming this evening, and project hopefully will move along good here. Hopefully we get some good weather, too.

G. Consider Resolution #14-31 requesting the support of the Office of the Wisconsin Rail Commissioner for the Installation of Warning Devices at the EMCO Rail spur and CTH H on the Soo Line Tracks and support the Kenosha County Bike Path Crossing.

Mike Pollocoff:

Mr. President, this is a project where the Village over a number of years and different users have requested that warning lights and arms be placed at this crossing. A hearing was held by the hearing examiner for the Rail Commissioner's Office on August 20th. And we appeared in support of this project. And at the same hearing there was another project which was the installation of the Kenosha County Bike Path improvements and how those would be interacting with that crossing and what kind of safety provisions they were requesting.

In the hearing examiner analysis of testimony and the rules the examiner acknowledged that crashes that occurred at the spur crossing were caused by an inability of drivers to see the stopped train. And I think what's significant about that picture is it's daylight. When it's dark it's even worse. And further indicated this is a long recognized phenomenon that could be resolved by

Village Board Meeting
October 6, 2014

improved reflective materials on railcars. That where it says Canadian Pacific that's the rail stripe that they're referring to. And then the other things that are on the back of the car, and hopefully somebody doesn't find behind the car to hit it.

At the hearing the hearing examiner requested that the Village and Kenosha County since this is a County road consider installing yield signs with continuous LED blinking similar to what we have at a stop sign and that the Village and Kenosha County should pay for the purchase and installation of the maintenance of those lights. In his order the level of effort that he's recommending is that we add two inch wide reflective strips on the existing cross bucks. The light wooden signs that are out there. And that's basically it.

Based on that, and the hearing examiner did support the petition by the Kenosha County for their improvements. So my recommendation is that with respect to the EMCO spur crossings that we respectfully object to that order that he's recommending to the Office of the Commissioner for warning lights and alarms to be placed at that crossing for the following reasons? First is that two of the automobile train crashes were significant in the amount of damage sustained by the accident. And it's a little bit difficult to see, but when you look at these real pictures that's about the best you could see out there at that time. It was foggy, and that's what we were dealing with.

The June 26, 2014 crash just missed hitting the valve on the bottom of a tank car. So whatever raw material that was contained in the car could have been released in the environment. I don't care whether it's chocolate syrup, and EMCO is a big company, they have a lot of different things they bring into the facility and they repackage and ship, it's going to be a risk to the environment because you have waterways that are near that area and the cost for cleanup of anything whether it's good or something that's hazardous is going to be a problem.

The Rail Commissioner had also indicated in his review that there was only two recent crashes, and there was one that was back in the '90s. But we need to keep in mind that the Eastman Company that was the previous owner of that facility had basically phased their operations down ending in 2006. And so in 2007 -- EMCO purchased it I believe in 2010 or '11, and they were ramping up their facilities to where they're at now. The examiner also acknowledge that it's not unusual for motor vehicles to run into a parked train, and if there's a train parked in the way and a car runs into it I think that's a little unusual. But I think what differentiates this from all the other crossing issues is that the risk associated with the materials and the proximity of waterways.

So my recommendation is that the Board concur with the recommendations for the Kenosha County petition for crossing, and that we do not concur with the hearing examiner's recommendation for the EMCO spur. And we forward this resolution to the Commissioner for his consideration. We believe that flashing lights and horns are appropriate. The Village and Kenosha County are looking to put streetlights out there. And we're going to do that in some way in conjunction with the widening of Highway H because there's some grade drop offs on the side that we need to stabilize light poles, and we need to get that work done first.

The hearing examiner agreed to leave the public comment open until Wednesday because we indicated we wouldn't be able to consider this before tonight. So that's my recommendation.

Village Board Meeting
October 6, 2014

And possibly before the Board considers this counsel for EMCO is here, Rachel Schulman, and she could have the opportunity to comment on this as well.

Michael Serpe:

I have a question, Mike. During the hearing it was mentioned about a quarter of a million dollars to put -- was that to put the gates down or just lights?

Mike Pollocoff:

That's a quarter million of gates, lights and horns.

Michael Serpe:

Okay, alright. And maybe the gates aren't necessary, but flashing lights for each direction, two flashing red lights can't cost a quarter of a million dollars. There's got to be a relatively inexpensive --

Mike Pollocoff:

Lights and horns are about \$100,000. Now, there are two things going on here. One is that the railroad doesn't have to accept -- the railroad won't pay for anything. That's the first thing we have to recognize. So what the Rail Commissioner is doing what pot of money is the money they have where the State would pay for the improvements at that crossing. And this is one of the things they brought up at the meeting. So there's getting that done and getting it approved. And then this other thing is this next year to apply for a hazard elimination grant and that's an 80/20 program where the State would pick up 80 percent of it, and we would come up with how we're going to do the local one for the 20 percent. But either way the Rail Commissioner has to -- even if we have someone else paying for it the railroad's incentive is not to have any more alarm systems or crossings or lights to maintain. So we have to get the Rail Commissioner to authorize this to be done. Just because if we have the money and we say we want to put it in they don't have to let it go in.

Michael Serpe:

The railroad doesn't own that spur.

Mike Pollocoff:

No, but they have a permit with the Village of Pleasant Prairie to operate that spur. The Village owns the spur. And in order to connect to the tracks we have to accept their rules which is we don't pay. So we received a T grant to that project, we had to agree to the facility use agreement between the Village and the railroad. And EMCO in turn in their agreement with us they agree to pay to take care of the track if it needs to be re-leveled or needs more stone or whatever it needs.

Village Board Meeting
October 6, 2014

Michael Serpe:

Is there a comment from EMCO?

Rachel Schulman:

Good evening. My name is Rachel Schulman. I'm from EMCO Chemical. We're at 8601 95th Street in Pleasant Prairie. We are in support of the putting up warning lights and the alarms at the crossings. We, too, don't want to see anything else happen at this crossing and feel that extra reflective tape on the signs would not be a satisfactory to this situation. And we are in support of these alarms and additional lights. Although we did purchase the property in 2010, we didn't start operating until 2013. So that adds a little more punch to the argument. That's our position. We support having the additional, not supporting what the Commissioner came out with [inaudible].

John Steinbrink:

Thank you very much. Any questions? Thank you.

Michael Serpe:

If we can do something to prevent our emergency responders to a scene like this multiple times already it's to our advantage. I don't know what it costs us to pay for the police and the fire and everything else that went along with these two accidents but it had to be significant. And over the course of the lifetime of the track \$100,000 is minuscule really when you think of the damage that could be done, the environmental concerns that we could inherit. The personnel you're sending out there to respond to something that could be possibly avoided. So this is an almost no brainer situation. Why they won't go for it I don't understand.

Mike Pollocoff:

And there were personal injuries to this but with HIPA A we really don't know to what extent the person is injured or what their problems are. We have been in contact for attorneys for the people that hit the train and that will be litigated. So the State uses a formula that says I think it was 11 cents was the return on this per dollar. But if somebody is going to be paralyzed for life or they lose their life or we're doing a clean up that cost analysis is going to go right out the window.

They can't put a crossing at every spur, but this is one spur that is high speed, it's a high traffic road, and EMCO they have to take their deliveries when the railroad comes, and they come in the middle of the night. And they come in the middle of the night with black cars and a foggy bottom. And everything lines up to make this more difficult than your typical crossing.

Michael Serpe:

What's the time line on the street lights at least?

Village Board Meeting
October 6, 2014

Mike Pollocoff:

The street light work is like two months worth of work. But one of the things that we're dealing with, again, is that Kenosha County is going to widen H out for the bike path. If you think about it when you're going down that road you have that drop off on the east side that goes down to that retention basin. We need to be able to build that up and stabilize that so we can core a pole down. So we need to work with Kenosha County to get that fill work done this year and make sure it works with their plans for the road so they can get that started. We want to get the lights put in there so it's not in their way while they're widening the road.

Steve Kumorkiewicz:

My concern over that is if anything happens over there we have to pay for that.

Mike Pollocoff:

Well, we wouldn't pay for a spill. I mean that would be a mix of people. We'd definitely be paying for people to be doing it. But that would end up getting litigated. It's not because it's in the Village that we have to pay. There's emergency response, the response gets done and they take care of it, and I think there's a fund that takes care of paying for these. But the responsibility is going to get adjudicated between who caused it or who didn't prevent it or what have you.

Steve Kumorkiewicz:

The question is we're trying to do everything to eliminate those issues. [Inaudible] who does the Railroad Commission work for? For the railroad company or for the taxpayers in this case? Who pays their salaries, the taxpayers? It appears to me they're protecting the railroad. Because we're doing everything that we can and the Commissioner says no. That's the part that bothers me. We're looking for future problems we can have in this crossing.

Mike Pollocoff:

I think the Village is on record since I think 1993 when we requested the first crossing. And we've requested it twice since then. So we've done everything we can do. But it is up to the Rail Commissioner. It's a statutory office. It used to be individual, not I believe it's located within the Department of Transportation. But the job of the Commissioner is to represent the railroad's ability to provide service in the State and make sure they're not just being ordered to do everything. So every case is fact intensive, and you have to present your side and your evidence and go from there.

Before we say that he's not doing his job I think we need to give him the opportunity to do his job. Because all that's happened now is that the hearing examiner has made a recommendation. This will go to the Rail Commissioner, and he has to make a decision on which way he wants to go and to what extent he wants to go.

Village Board Meeting
October 6, 2014

Steve Kumorkiewicz:

Because we have a situation two years ago right there in the railroad crossing from between H and Green Bay they were going to close the railroad, remember?

John Steinbrink:

Bain Station.

Steve Kumorkiewicz:

Yes, Bain Station. And what a situation [inaudible] close this.

John Steinbrink:

The railroad does a pretty good job of closing it on a regular basis.

Steve Kumorkiewicz:

So [inaudible].

John Steinbrink:

Okay, what we have before us is the resolution. One more comment to that. The County Executive has been lobbying the Rail Commissioner because I know he wants to keep his project on a time line, too. So he has had discussions with the Rail Commissioner, and hopefully the resolutions presented and the County Executive lobbying are going to yield some results that are going to be favorable to all the parties and provide the safety we're looking for here. The bicycles are a concern there, too, when they're traveling through there. As you said there's a lot of grade work to do there to make that happen for a lot of parcels. We also need a permit from the railroad. Has that been granted yet?

Mike Pollocoff:

We got a verbal from them, as far as for the street lights?

John Steinbrink:

Yes.

Mike Pollocoff:

Yeah, we received that. [Inaudible] if you can work with the people at the yard [inaudible]. But once it goes --

Village Board Meeting
October 6, 2014

John Steinbrink:

It gets lost, right. Been at a lot of rail hearings.

Kris Keckler:

Move to accept Resolution 14-31.

Michael Serpe:

Second.

John Steinbrink:

Motion by Kris, second by Mike for adoption. Any further discussion?

Kris Keckler:

I just had one. Is there any consideration or evidence that would lend itself to increased traffic patterns in the last couple years or at least future growth just in that general area?

Mike Pollocoff:

We've recently had a traffic impact analysis done, and there's no question with growth in the Corporate Park that there's more traffic in that area. And we know that Majestic has a major piece of property that they're looking to develop and Meir's and all those companies. And H is probably the best back door into the Corporate Park or out of the Corporate Park or around there. So a lot of people are using. As time goes on it has -- I think if I remember right in the rail study we sent the short-term the intermediate traffic flow is 6,000 cars a day. So when you think about there's Good Foods 24/7 operation, Niagara is going to be 24/7. There's some other ones. So they're coming at all times, and there are a lot of companies doing first and second shift. So they're leaving when it's dark or getting there when it's dark because a lot of those places start at six in the morning.

Kris Keckler:

I just didn't know if that would help as part of the argument in the appeal process for them to realize the expansion.

Mike Pollocoff:

Yeah, thanks.

Village Board Meeting
October 6, 2014

John Steinbrink:

And since the roundabout is real then the traffic flow including trucks is I think increased. Especially the truck traffic. I'm not sure where they're all coming to or going to now, but they're using H a lot more.

Steve Kumorkiewicz:

The roundabout works beautiful all the time.

John Steinbrink:

We have a motion, we have a second. If there's no further discussion those in favor?

KECKLER MOVED TO ADOPT RESOLUTION #14-31 REQUESTING THE SUPPORT OF THE OFFICE OF THE WISCONSIN RAIL COMMISSIONER FOR THE INSTALLATION OF WARNING DEVICES AT THE EMCO RAIL SPUR AND CTH H ON THE SOO LINE TRACKS AND SUPPORT THE KENOSHA COUNTY BIKE PATH CROSSING; SECONDED BY SERPE; MOTION CARRIED 4-0.

H. Consider Agreement for Financial Advisory Services with Sterne, Agee & Leach, Inc.

Mike Pollocoff:

Mr. President, if you've been following what's going on, and some of it was touched on by the issues that Unified had, there's been an ongoing review by the Securities Exchange Commission as to how public entities bond and receive their financial advice on those bonds. And one of the things that in some areas they felt that the person who was selling the bonds was also acting as the financial advisor. And as a financial advisor they had more incentive to sell bonds than they did to represent the entities. So they've been working on rules since the Dodd-Frank Act came into effect so it's been a few years. And everybody has been looking at how this is going to be administered or how the rules are going to come down.

Well, in September they made a definition, and they're calling for municipalities they're defining a municipal advisor as someone who is going to provide financial expertise to a municipality. And that person would be precluded from doing any bond sales with the community or any related bond sales that might affect that community. And we're also exempt, because it didn't at first, would exempt the staff from dealing with both parties and having the staff in some places -- it doesn't happen here and it shouldn't happen anywhere where the staff would be trying to influence a bond sale based on some gain that they might receive.

The rules on this are significant, and Kathy Goessl and I looked at ways to deal with it. And we looked to the Government Finance Officer's organization which is the professional association for municipal finance directors. And we were looking for some best practices that they could recommend for how we could do this. And they recommended, and I think a lot of people that

Village Board Meeting
October 6, 2014

we talked with, is we need to hire a separate municipal advisor for the bond transactions, have those transactions evaluated as to what the impact is going to be on the Village's financial condition or bond condition, our ability to perform in tax increment district as well as meet our budget obligations.

And currently we've been using Piper Jaffray and, of course, Gene Schulz has filled both those roles for us. In our work with Piper Jaffray we dealt with other people than Gene Schulz. If Gene felt that somebody had some expertise to bring to the table in working with us he did. And we worked with a gentleman named James Towne. And he has since split off from Piper Jaffray and was working with Sterne, Agee & Leach, and he provides financial advisory services almost exclusively to them. He's not underwriting or selling bonds. He's proposing to provide the service for us at the rate of \$1 per thousand of bonds issues. Currently we pay \$2 per thousand of bonds issues. And Mr. Schulz has agreed to lower his rate to \$1 per thousand. So our net exposure is going to be the same.

With our next bond issue that occurs which is probably going to be in about a month and a half is going to be the first issue where we're going to be under the new rules to have a separate advisor and an underwriter. Sterne, Agee is based out of Minneapolis which is also the home for Piper Jaffray. The City of Kenosha has also decided to use Sterne, Agee for their bond work or their financial advisory work. We have the ability to end the contract at any time if we felt we could do better with somebody else or what have you. But both Kathy and I recommend that we enter into a contract with Sterne, Agee for the services to be provided at the rate proposed which, again, is \$1 per thousand.

Kris Keckler:

Move to accept admin's recommendation.

Steve Kumorkiewicz:

I second.

John Steinbrink:

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

KECKLER MOVED TO APPROVE AN AGREEMENT FOR FINANCIAL ADVISORY SERVICES WITH STERNE, AGEE & LEACH, INC.; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

- I. Consider Resolution #14-28 - Preliminary Resolution declaring intent to exercise special assessment police powers in connection with the construction of 360 linear feet of water main on 63rd Avenue between 83rd and 84th Streets.**

Village Board Meeting
October 6, 2014

Mike Pollocoff:

Mr. President, 63rd Avenue if you can visualize where that is between 83rd and 84th it's a rural road, and there's Tuckaway Trails directly to the west and undeveloped property being developed by CSM over the years on the east side of the road. A good portion, in fact all the property on the east side of the road was developed by the Fraher's, and they secured CSMS to do that. And at the time those CSMS were secured they paid the Village for the estimated water construction expenses associated with it. And as time has gone on there's one parcel that hasn't hooked up, hasn't paid and isn't part of the assessment.

Well, we're at the point now where they've paid for the water main, they want to have the water main go in, be connected, and there's one parcel that hasn't been assessed as part of that project yet. So this resolution starts the process for us to send out the notices, conduct the hearing for the special assessment to be levied.

Michael Serpe:

Would this be done by our crew?

Mike Pollocoff:

Yes.

Michael Serpe:

Move to adopt 14-28.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve for adoption of Resolution 14-28. Any discussion?

Steve Kumorkiewicz:

Yeah, 63rd, that's the one [inaudible] City, right, no boundaries, just City limits?

Mike Pollocoff:

It goes north but the two roads are offset. So it won't connect [inaudible] in the future.

John Steinbrink:

Further discussion?

Village Board Meeting
October 6, 2014

Kris Keckler:

Is the cost per foot pretty much solid, or is this still with some amount of buffer with potential overages?

Mike Pollocoff:

We have an estimate that I think the public works has provided for us to do it, and it's significantly higher than if the individual has chosen to participate 15 years ago. Do you have an estimate on what it is, Mike?

Mike Spence:

I do. Let me pull that up. The estimate that we have currently for the project is this is actually a conservative estimate. We're sending out a conservative estimate if we had to hire a contractor is \$43,000. If our crews did it it would be considerably less.

Mike Pollocoff:

[Inaudible].

Mike Spence:

If you can see this map here, yeah, all these parcels have been assessed because of the location of the existing water mains to the north and the south. So we've received some money from these parcels previously.

John Steinbrink:

Okay, we have a motion and a second.

SERPE MOVED TO ADOPT RESOLUTION #14-28 - PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POLICE POWERS IN CONNECTION WITH THE CONSTRUCTION OF 360 LINEAR FEET OF WATER MAIN ON 63RD AVENUE BETWEEN 83RD AND 84TH STREETS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

J. Consider Resolution #14-29 - Resolution rescinding Final Resolution#07-72 authorizing special assessments for the extension of water on 63rd Avenue from STH 165 (104th Street) to 100th Street.

Mike Pollocoff:

Mr. President, there was a preliminary plat that was filed for the Courts of Kensington for a plat there. As part of that plat water would have to be extended on 65th Avenue up to 165 and you

Village Board Meeting
October 6, 2014

have a whole row of houses that are already there, it's a plat that was approved, and they have no municipal water. So as the project was envisioned that water main would go in to service the Courts of Kensington, laterals would be provided to the properties to be connected because that road was going to be rebuilt to current municipal standards. And then each one of the properties we assess them for the cost of the water main based on what the development cost was. And it was a deferred assessment so they wouldn't have to pay for it until such time as they used it. But there's a ten year window in which we could assess that.

Well, earlier this year we denied that preliminary plat because it isn't going anywhere. And with the change in State statutes once we allow these preliminary plats to keep going the developer is able to vest a lot of rights in it, and I think it's not in our best interest to put ourselves in a condition where we can't meet current standards as time goes on. So the plat was denied. Well, subsequently we had forgotten about the special assessments that are deferred because nobody really has to pay them. But a somebody goes to get their house refinanced there's a special assessment that's showing out there as a contemplated assessment.

So this resolution rescinds that special assessment, takes it off all the titles to the properties, then we'll notify the people on the list that the special assessment although it's deferred is being removed from their property. We may visit this again at some point, but in the meantime it really makes no sense to leave that out there.

John Steinbrink:

So they're free and clear.

Mike Pollocoff:

They're free and clear.

John Steinbrink:

Or they will be.

Kris Keckler:

Move to accept 14-29.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Kris, second by Steve for adoption of Resolution 14-29. Any discussion?

Village Board Meeting
October 6, 2014

KECKLER MOVED TO ADOPT RESOLUTION #14-29 - RESOLUTION RESCINDING FINAL RESOLUTION#07-72 AUTHORIZING SPECIAL ASSESSMENTS FOR THE EXTENSION OF WATER ON 63RD AVENUE FROM STH 165 (104TH STREET) TO 100TH STREET; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

K. Consider disallowance of a claim submitted by John Stiles for damage to a vehicle caused by driving over a pothole on Cooper Road June 14, 2014.

Mike Pollocoff:

Mr. President, we received this claim from Mr. Stiles requesting reimbursement for damages because he hit a pothole on Cooper Road. That occurred in the spring. We did have, like many of our streets through the winter, we had some potholes. Plus we did have some construction that both Pleasant Prairie and the Kenosha Water Utility was doing on Cooper Road. On advice of our counsel and insurance company these claims unless we feel we've been intentionally negligent these claims are recommended for denial.

Michael Serpe:

You say the insurance company recommends denial?

Mike Pollocoff:

Yes.

Michael Serpe:

I move to concur.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve for disallowance with concurrence to the insurance company. Any discussion?

SERPE MOVED TO APPROVE THE DISALLOWANCE OF A CLAIM SUBMITTED BY JOHN STILES FOR DAMAGE TO A VEHICLE CAUSED BY DRIVING OVER A POTHOLE ON COOPER ROAD JUNE 14, 2014; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

L. Consider Resolution 14-30 in support of National Cyber Security Awareness Month.

Village Board Meeting
October 6, 2014

Mike Pollocoff:

Mr. President, in honor of Target and Home Depot we'd like to bring this resolution forward. And this was really one that came forward from the IT department. So I'd like to have Dan Honore come up.

Dan Honore:

Basically the Village belongs to an internet securities group, myself representing the Village. And through that group which is part of the Homeland Security I get updates on any and all threats that are occurring real time. We also have the benefit of utilizing that organization should we ever be hacked if you will. so it's a really great organization. And one of the things that they're doing is supporting National Cyber Security Awareness Month, and as part of that they asked the cities, county's, municipalities to show their support as well through resolutions. And I felt it was a good idea for us. We do belong to this organization. There are a handful really of Wisconsin entities that belong. It isn't as large as I expected but it is growing.

The National Security Awareness Month is designed to engage and educate the public and private sector partners with the goal of raising awareness about cyber security. It basically goes through how do you create a good, strong password, what do you do with all your online banking. When you connect to a free Wi-Fi at Starbucks you probably shouldn't be doing your banking there. It's not necessarily a good idea. So it educates people on that.

I included a couple of website because I believe that when people go online to review this information these would be good websites for them to go to to learn more about cyber security and protect themselves at home. And, of course, when they get to work it's a good idea to protect yourself there as well. Because anything you bring into the organization could certainly affect that organization in a bad way. It even goes into some training where if you find a flash drive in a parking lot don't go into work and plug it into your computer trying to find out what's on it because sometimes it's a bad thing. So I think it's a good idea for supporting this. It's certainly a good educational tool. And everybody including myself can learn from this.

Michael Serpe:

Dan, your recommendation by this is to contract with LifeLock type of thing?

Dan Honore:

It certainly isn't a bad idea personally to contract with LifeLock and other entities that secure your person, personality, your profile out on the web. There are a number of them out there, and they are good organizations. And if it's something that is of that much of a concern it's certainly worth the money to do that. You can even start slowly and use the websites such as TRW, the various credit resources that everybody whenever you go for credit they let the entities know how good of a credit you have, they have services there as well that will help you protect your identity online. So I think it's a good idea.

Village Board Meeting
October 6, 2014

Michael Serpe:

Most of the attacks coming from outside the U.S.?

Dan Honore:

Yes, most of them do originate outside the U.S. But, of course, it's hard to tell nowadays where they're sitting. They could certainly be sitting in our four walls and you wouldn't even know it.

Michael Serpe:

Move approval of Resolution 14-30.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris. Any discussion?

SERPE MOVED TO ADOPT RESOLUTION 14-30 IN SUPPORT OF NATIONAL CYBER SECURITY AWARENESS MONTH; SECONDED BY KECKLER; MOTION CARRIED 4-0.

M. Consider reappointments to the Community Development Authority.

Mike Pollocoff:

Mr. President, I'm recommending that Kate Jerome be reappointed to a term to end October 7, 2016, Tom Reiherzer same time period, and Jill Sikorski as an alternate for a one year term to October 7, 2015.

Steve Kumorkiewicz:

Make a motion to approve.

Kris Keckler:

Second.

John Steinbrink:

Motion by Steve, second by Kris. Any discussion on the appointment?

Village Board Meeting
October 6, 2014

KUMORKIEWICZ MOVED TO APPROVE THE REAPPOINTMENTS OF KATE JEROME, TOM REIHERZER AND JILL SIKORSKI TO THE COMMUNITY DEVELOPMENT AUTHORITY; SECONDED BY KECKLER; MOTION CARRIED 4-0.

N. Consider Operator License Applications on file.

Jane Romanowski:

There's two applications that I'm recommending for approval and then one that is recommended for denial. Approval for Stacy Archibald and Shakeel Sarosh. The recommended denial it says in the paperwork Chief Smetana indicated that there's an outstanding warrant on a record due to a traffic offense. Until she cleans that up we're not going to consider her application, and she will be notified of that. So recommended approval for the two I indicated and denial for Datara Booker.

Steve Kumorkiewicz:

So moved.

Michael Serpe:

Second.

John Steinbrink:

Motion by Steve, second by Mike. Any discussion?

KUMORKIEWICZ MOVED TO CONCUR WITH THE VILLAGE CLERK'S RECOMMENDATION TO APPROVE THE OPERATOR LICENSES FOR STACY ARCHIBALD AND SHAKEEL SAROSH AND DENY THE LICENSE FOR DATARA BOOKER; SECONDED BY SERPE; MOTION CARRIED 4-0.

8. VILLAGE BOARD COMMENTS

Kris Keckler:

I thought it was a nice park dedication although the weather could have been a little bit better, but the cookies were good.

John Steinbrink:

I just want to thank everybody for wearing pink. I did remember thanks to Steve reminding me. I thought it was in honor of the Bears loss to the Packers. Also we have a referendum on the ballot this November, and it's for -- is this advisory to let them syphon money out of the transportation fund?

Village Board Meeting
October 6, 2014

Mike Pollocoff:

No, it's not advisory.

Jane Romanowski:

It's binding.

John Steinbrink:

That's amazing they're having something like that because there was such an outrage when money was used from the transportation fund to fund the schools, and now they're looking for something else to legislate for them I guess. So we always knew they couldn't legislate. And it was a good dedication at the park. The neighbors were very happy. The mayor of Brookside Gardens was there, Rosie Young. And for those of us that were there when they used to put the sandbags up and they were flooded along with the neighbors is a very welcome thing. Progress did really give it a setback there as it went through. And the Village staff had the forethought to make this right again. The neighbors were very happy and are going to continue to be happy.

9. ADJOURNMENT.

Michael Serpe:

Move to adjourn.

Kris Keckler:

Second.

John Steinbrink:

Motion by Mike, second by Kris.

**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KECKLER;
MOTION CARRIED 4-0 AND MEETING ADJOURNED AT 7:15 P.M.**