

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY
9915 - 39th Avenue
Pleasant Prairie, WI
September 15, 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 excused. 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; Dan Honore, IT Director; Carol Willke, HR and Recreation Director and Jane M. Romanowski, Village Clerk. Four citizens attended the meeting.

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

John Steinbrink:

If we could have the Pleasant Prairie honorees there lead us in the pledge.

- 3. ROLL CALL**
- 4. MINUTES OF MEETINGS - SEPTEMBER 2, 2014**

Steve Kumorkiewicz:

Move to approve as written.

Kris Keckler:

Second.

John Steinbrink:

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

KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 2, 2014 VILLAGE BOARD MEETING AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY KECKLER; MOTION CARRIED 4-0.

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5. CITIZEN COMMENTS

John Steinbrink:

Anybody wishing to speak on an item this evening now is your time unless you have an item on the agenda which you plan on speaking at.

John Steinbrink:

Use the microphone and give us your name and address for the record.

Brooklyn Jenkins:

Hi. I'm Brooklyn. I'm four years old. I'm Tiny Miss Pleasant Prairie 2013. Thank you for letting me represent the Village.

Rachel Kenyon:

Hi, I'm Rachel Kenyon. I am Little Miss Pleasant Prairie 2013. I live in Pleasant Prairie. My address is 9020 24th Avenue, and than you for letting me serve.

Natalie LaForge:

Hello, I'm Natalie LaForge. I'm your 2014 Miss Pleasant Prairie. I could not be more excited or blessed to serve for this awesome Village. This year my platform will be agricultural awareness, and I plan to target children in schools and teach them about the connection between farmers and food. I also want to teach them about 4H and FSA.

Brook:

Hi, I'm Brook and I'm Little Miss Pleasant Prairie and I'm 8.

Nayla:

Hi, I'm Nayla, Tiny Miss Pleasant Prairie 2013. I'm five and a half.

John Steinbrink:

Thank you and congratulations.

Robert Youngman:

Good evening, I'm Bob Youngman. I live at 7540 104th Avenue. And I'm here representing the many property owners that signed a petition for enforcing the 25 mile an hour speed limit on 104th Avenue. I have the petition signatures of 75 percent of the property owners on 104th Avenue. The first step is to have four-way stop signs at the Prairie Ridge --

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John Steinbrink:

If you want to take the microphone with you that will help probably.

Robert Youngman:

The bottom line is that there is a traffic control proposal for four-way stop signs which have been successful at Highway C two locations, and this would be the only way to solve the problem of having the speed limit of 35 miles an hour going from the south and from the west. And then we have a 25 mile an hour speed limit over here in blue. And 104th is meant to be a 25 mile an hour speed limit. So it would bring it to their attention of everyone if the proper signage was put in place. Thank you.

John Steinbrink:

This is citizens' comments. We can't act on anything that isn't notice.

Mike Pollocoff:

Did you have the petition that you wanted to present to the Clerk? Now would be the time to do it.

Robert Youngman:

Yes.

John Steinbrink:

Thank you.

John Braig:

John Braig, 4707 84th Street. In the past I've expressed concern about the length of time that railroads block roadways in the Village. Waiting as long as a half an hour on 95th Street is not unusual. In fact, I've seen a pedestrian crawl under the railroad cars to cross while it was blocked for an extended period of time.

On September 2nd at 4:06 p.m. I was heading eastbound on Bain Station Road. And, of course, the crossing was blocked by a railroad. I stubbornly waited it out. At 5:20 the train was still blocking the crossing. That's an hour and 14 minutes. And I left at that time only thinking that it must have been another one of those accidents and the train would be there for a couple more hours. Now, Bain Station is not a flea bit little roadway anymore, to wit the County has decided to leave four way traffic signals at its intersection with Highway H and with Highway C. I can't believe that something can't be done about this. Thank you.

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John Steinbrink:

Thank you, John.

Jane Romanowski:

There are no additional signups tonight, Mr. President.

John Steinbrink:

Anyone else wishing to speak under citizens' comments? Hearing none, I'm going to close citizens' comments and we're going to move onto Item 6, Administrator's Report.

[Inaudible]

Amee Janis:

My name is Ameen Janis, and I'm actually not a resident of Pleasant Prairie, but I'm a resident of Kenosha County out in Salem. And I'm actually the founder of [inaudible] and I started this program to make drivers away of the speeding issues in neighborhoods. So I just wanted to say we'd like you to take into consideration the children [inaudible] sidewalk [inaudible]. Thank you.

John Steinbrink:

Alright, thank you. Anyone else wishing to speak? If not I will close citizens' comments.

6. ADMINISTRATOR'S REPORT

Mike Pollocoff:

Mr. President, we received today our copy of the recommendation from the hearing examiner that was conducting the hearing for two things. One was railroad signals and guides on the bike path on H. And the second one for the spur crossing at the Emco facility. Village staff and President Steinbrink had gone through the hearing, commented on it and made our views known as to why we thought that the Emco crossing was necessary. And the hearing examiner is recommending that we put the streetlights in that were planned to be put in to light up the area, but that we look at having yield sign with some lines that would be outlined with white flashing lights to designate that they should be yielding to a railroad crossing.

We have 15 days to reply, so I contacted the Commissioner's office and see if we can get an extension until October 7th. The Board will be in session again on October 6th. That will give the staff the opportunity to prepare another analysis and report that we can use to convince the Railroad Commissioner that we'd like to see an outcome different than what the hearing examiner recommended. We think street lights will help because all these deliveries are made at night, but they're still black cars. And on a foggy night if you think about putting your high beams on in the fog you really don't see anything.

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So I think we'd really like to take another run at this. If we can't get them to extend it to that two week period then I'd be seeking authority to respond on behalf of the Village prior to the 15 days that they've given us for that item. They did rule that the bike path will get flashing red lights and I believe gates on the bike lanes. It wouldn't be on the bike lanes, the gates would be extended from the road onto the bike lanes. Because the bike lanes kind of come out at an angle. And there would be a point when you go out on that angle to cross that track at a 90 degree where you could have your back to the train. I those are a valid need.

But I still think that even though this is a private crossing, I mean Emco is a good company, but they really carry a broad range of things that they take shipments of from confectionary alcohol to [inaudible] by Jelly Belly to shine the beans up, from chocolate to all sorts of things. So it's not that a car would explode, but on the other hand if a valve was breached on a rail car you could be dumping 20,000 gallons of whatever into the environment. Emco is in full agreement with this. We have two steps to go through. One is to make the case to convince the Commissioner that this should be done, and everybody is going to have to put something into it to pay for it. But if the railroad doesn't want to do it, and the railroad has indicated that they don't, that question has to be resolved first. So that's where we stand with that. I think given the fact that we've had two accidents and we could have more I think it's worth pursuing to see if we can get this final decision made. This would be our third crack at trying to get that crossing signaled.

Michael Serpe:

Mike, I was at that hearing. It just amazes me sometimes the thinking that goes on with people making decisions in our community that are not a part of our community. Chief Smetana gave a perfect example of why we should have the flashing lights. You need a visual contact from the drivers with a warning. The railroad sign that criss-crosses is not enough and nobody even sees those. And who knows better than the police department and the Chief as to what is needed at that crossing. And for those people to turn their back on us is very disturbing.

Mike Pollocoff:

That's it.

John Steinbrink:

Okay, it sounds like we have some business to do with the railroad.

Steve Kumorkiewicz:

Do we have to vote or make a motion to --

John Steinbrink:

No, it's Administrator's report.

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7. NEW BUSINESS

A. Consider award of contracts for various construction specialties for Fire Station No. 1.

Mike Pollocoff:

Mr. President, if you think back we had rejected previous bids for the fire station because we felt that there were two things going on, the bids were higher and we didn't have a sufficient number of bidders for the project. We reopened bids again on September 8th. And the prices came out better because we had done some value engineering with the guidance of our consultant, Riley Construction. And with the work that's been done to re-engineer the project down a little bit and with the prices the increase now is \$29,436. That's on a contract price of \$4,546,294 which I think on a percentage basis is pretty good.

Riley has analyzed the bids and have gone through them. They've provided recommendations for award of contracts which is presented in your bid tab summary. I'd recommend that those contracts be awarded that are recommended. I don't know if Riley has got anything that they want to add to the recommendations.

Dave Riley:

Dave Riley, 5301 99th Avenue, Kenosha. When I was up in front of you guys in July this was our plan, we thought this was the best route to take. I believe now that we have the bids it was the best route to take. We are back to within pretty close to budget. I remind everybody that we're carrying a contingency, too, in this budget. So we'll try to bring this thing even under the numbers we're showing today.

Even up to the last night there was pressure on bidding. The electrician that bid the first time, just an example of the pressure out there, the electrician that bid the first time, Pieper Electric, called us the night before the bid was due and said we've just been awarded the bottling company job which is also in the Village, \$3 million. Great pressures on their crews. They said we cannot bid the Village. So kind of a catch 22 for the Village, a nice project going on but they weren't able to bid on this project. But our electrical numbers came way down. If you remember in July there was like an \$800,000 bid, and now they're at like \$460,000. So as we anticipated everybody was just so busy last summer. So I think it's a good thing. If you have any specific questions I have Chris Siefert here today, too from Riley and he can answer any specific questions you have.

John Steinbrink:

Any questions? No.

Mike Pollocoff:

With that, I'll read through the contractors who we're recommended awards. For the general conditions and staffing Riley Construction. For the excavation VK Contractors. I'm sorry, those

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have already been awarded. For masonry Riley Construction. Roofing and sheet metal and metal panels Nations Roof North. Over at doors A&R Door Service. Light gauge framing, trusses, insulation and gypsum board Common Links Construction. Tile flooring Tesche's Tile Incorporated. Acoustical ceilings Quality Ceilings, Incorporated. Resinous epoxy flooring Protective Coating Specialists. Carpeting and resilient flooring Lippert Tile. Painting and coatings Wall-Tech, Incorporated. Electric and low voltage Wil-Surge, Incorporated.

SERPE MOVED TO APPROVE AWARD OF CONTRACTS FOR VARIOUS CONSTRUCTION SPECIALTIES FOR FIRE STATION NO. 1 AS PRESENTED; SECONDED BY KECKLER; MOTION CARRIED 4-0.

Michael Serpe:

Dave, are we going to get this thing buttoned up a little bit before winter?

Dave Riley:

The short answer is, yes, we are going to try. Assuming winter follows the time frame that it's supposed to follow and not follow last winter when it turned to ten degrees in November. If we have a typical winter which means we start getting those below freezing temperatures consistently in January we should be in good shape. That's one of the reasons we wanted to get these contracts approved right away so that we can stay on schedule. We have steel coming in mid-October which is right on the original schedule. So I think we'll be in good shape assuming winter is normal.

B. Consider a Professional Construction Engineering Services Agreement for the Village Green Heights Subdivision Stage 3 Surface Course Paving project.

Mike Spence:

Mr. President and members of the Board, Land and Lakes Development Company, who is the developer for Village Green Heights, has requested to final pave a portion of the Village Green Heights Subdivision. The map on the wall there and in your packet shows the streets that they are looking to final pave. These streets all have binder, and typically stage three paving occurs when they're at 75 percent of construction. And they're within 3 houses of that. And so they would like to get that paved yet this year. The improvements will include a portion of 98th Street, 49th Avenue, 50th Avenue, Cooper Road, 55th Court and Main Street.

The scope of work to do this for the consultant will include stake out and layout of the paving, construction observation services and construction administration services. We received a proposal from Nielsen Madsen and Barber to do this work for \$20,838.80. This work it should be noted, too, that we get reimbursed by the developer. So we do pay the consultant for the construction services but we, in turn, then bill the developer for the work. And we also have a letter of credit if we don't get paid. So with that Nielsen Madsen and Barber has done other construction administration and paving observation out there. So I recommend that this contract be executed. I'd be glad to answer any questions.

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John Steinbrink:

Any questions for Mike? Mike, what is the anticipated date the plants will be closing for blacktop?

Mike Spence:

The plants usually -- I think there's about 7 weeks left. Usually it's sometime in early November. As Dave Riley mentioned it kind of depends on the weather, too, if we get a cold snap. There's a lot of projects that contractors are trying to finish. But I remember a few years ago the plants were open until the end of November. So it sort of depends on the weather. But I would say at least until the end of November.

John Steinbrink:

Any other questions for Mike? If not?

KUMORKIEWICZ MOVED TO APPROVE A PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES AGREEMENT WITH NIELSEN MADSEN & BARBER IN THE AMOUNT OF \$20,838.80 FOR THE VILLAGE GREEN HEIGHTS SUBDIVISION STAGE 3 SURFACE COURSE PAVING PROJECT; SECONDED BY KECKLER; MOTION CARRIED 4-0.

C. Consider purchasing permit and planning application management system software for the Community Development, Inspection and Engineering Departments.

Mike Pollocoff:

Mr. President, the community development department and the building inspection department currently have a skeleton that really just keeps track of permits and calculates fees. On the fiscal year budget for this year we funded a portion of a project to identify a software package to do a number of things from managing work orders to assist in processing the data required with permits. And we looked at two firms, one is Tyler who does our financial packages, and the other one was CRW. The staff and the IT director evaluated the CRW system and found it to be the preferred option. If I could I'd have our IT director Dan Honore come up and describe the software in some more detail and then the process for how we're going to implement this over a two year period.

Dan Honore:

Thank you. The CRW system we went through a process whereby seven vendors were solicited for bids. We received two. The project actually started a couple years before I arrived. This was the second go around. We reviewed both applications, Tyler Technologies as well as CRW. The

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team including myself felt that the CRW solution provided a much more robust environment that we would implement today and then also provide more opportunities for the Village as we grow. They have more modules, more features than what the Tyler solution had.

Another part of the decision was that there's a lot of assistance that's needed right now to help with the processes that we have to go through, that the departments have to go through. And Tyler Technologies was not able to begin implementation until well into the end of 2015. CRW is ready to go right now. So we actually had a very good option in front of us which was CRW, and that's what we proposed to Mike and propose to you for approval to you today.

The process has been laid out, and we will begin with the vendor very shortly in the coming weeks to begin determining the full implementation schedule. But as it's laid out in the documents that you have there's a general guideline that we will go through, configuration, gated conversion, testing and so on. It's approximately a year and a half process from start to finish. And by the time it's all finished we will have all of the modules that we purchased in place.

The costing that you see in front of you here basically what we've done is negotiated a starting payment of \$93,000 which is for the actual software and the licensing. And then starting next year we will pay for the implementation and configuration costs for the project. And that's on a timed basis, every month or so we'll make a payment until the last payment which is going to be 30 days after go live. And basically we as the team have to approve the application that it is what we expect it to be. And once we do that approval then we have 30 days to make the final payment. So we will not have to pay that in the end if it's not what we want. But I'm fairly confident. The vendor has been very receptive. They want to partner with us, and I think it will do exactly what we're looking for it to do.

Michael Serpe:

Dan, 2014 and 2015 there's no maintenance involved because we're --

Dan Honore:

Well, generally what I've tried to do with any software is to have the first year's maintenance waived. CRW was amenable to that so they waived our first year maintenance. Maintenance will not begin until 2016. And I was also able to get them to honor the 2015 price in 2016.

Michael Serpe:

And being my age I don't really understand all this computer stuff. For \$20,000 in 2019 what maintenance, what is CRW going to do for us?

Dan Honore:

Sure, good question. Maintenance is something that most every vendor charges. And basically what you get is any updates, upgrades, the ability to contact the company via multiple means to get assistance, whether it be 24/7 or 8 to 5, there are various terms and agreements on when you

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can get support and what's involved in that. But the prices you see here for maintenance generally you will see them at an 18 to 20 percent of the purchase price which is pretty much in line here. CRW is pretty much in line with the standard that I've experienced with my career. So what we've laid out here in 2017 and '18 you'll see that there's no increase. That's one of the features that they actually put forth to us. The expectation is in 2019/2020, again, there would be no increase.

Michael Serpe:

And maintenance is one thing, does any of this include any upgrades between now and 2019?

Dan Honore:

It does. Every single year we will receive any and all updates, hot fixes, upgrades that would come out of CRW.

Steve Kumorkiewicz:

I've got a question. In the year 2019 I see that we've got \$20,570 for maintenance. At that time we need to replace the system or the system can be updated?

Dan Honore:

That's a good question, Steve. Generally we're going to hope that the software is doing exactly what we want. They're adding modules, adding features, and we will continue to work with the company well into the future. This is a five year contract if you will so in 2019 at that time we would be negotiating the next round of maintenance for the next one, two to five years depending on the outlook for that company.

I can tell you, and actually Jean and the others would be able to tell you better than me on the improvements that CRW has made just in the two years since they originally looked at the software. So the expectation is by 2019 there will be even more improvements, and we will continue to utilize the software beyond 2019.

Mike Pollocoff:

I might add one of the reasons it's critical that we get going on this is that there was a mandate from the State on reporting out our expenses, what we spend in doing this work and providing it on more of a unit basis. Before it was a more generalized approach to how the accounting was done. Now it's more specific. Right now we don't have the specifics. The old system we have which is probably 10 or 12 years old we don't have that ability to do that.

Mike Pollocoff:

And I think that the other reason this is getting more critical as time goes on it's the good side of the new construction that's taking place is that the permit numbers are significantly up. And

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details which we have to deal with on those are significantly greater than they were before. So this is primarily going to be financed by permanent revenues. The people that are using those services, the permits that come in, we're going to be able to use that to help diffuse the cost of this. Right now shy of just generating a permit number and a calculation everything in the permit department and building inspection and in community development is all paper. So we're moving paper constantly, and that's expensive in and of itself. We need to do something. I don't think this is just we're settling for something that's second best. This is really the better product. We're fortunate in the sense that it has less dollar cost than the other option.

SERPE MOVED TO APPROVE PURCHASING PERMIT AND PLANNING APPLICATION MANAGEMENT SYSTEM SOFTWARE FROM CRW SYSTEMS IN THE AMOUNT OF \$93,000 FOR THE COMMUNITY DEVELOPMENT, INSPECTION AND ENGINEERING DEPARTMENTS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

John Steinbrink:

Thank you, Dan.

D. Consider the 2014-2015 Agreement between the Village and the Pleasant Prairie Professional Firefighter's Association Local 3785.

Carol Willke:

Mr. President and Trustees, what you have before you is the tentative agreement between the Village and the Firefighter's Association. The way I'm presenting this is just in chronological order by article. So we're going to jump right into wages which is always the most important. So Article VII is wage, the agreement to increase all rates by 1.5 percent effective January 1st, followed by an increase of 1 percent effective July 1, 2014 and then an increase of 2 percent effective January 1, 2015.

Then the second article that we're going to be discussing would be Article VIII which is the retirement fund, WRS. And effective upon ratification the employees will contribute 6.5 percent of the employer share. And then effective January 1 of 2015 each employee shall contribute whatever the amount is required by WRS. That could fluctuate depending on what their determination is.

Article XVI is the insurance. It includes health insurance and dental. So for health insurance the employees will start contributing 3 percent which is a decrease from 5 percent that they are currently paying towards their monthly premium contribution. And then as the rest of the employees of the Village are participating in vitality wellness program through Humana the firefighters will also be participating and hopefully getting to the silver level which will then keep their premiums at 3 percent. Otherwise if they choose not to participate or do not achieve that level their premiums will go to 20 percent of the total cost. And that will be throughout 2015. The dental insurance they will be contributing a contribution of 10 percent of the monthly premium.

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Article XXV is the acting lieutenant compensation. And this obviously goes into play if one of the lieutenants -- if none of the lieutenants are available and one of the firefighters is asked to step into that role. January 1 of 2014 the pay will increase by 50 cents per hour. As of 1/1/15 it will increase to 55 cents per hour. And then going into the third year it will increase 60 cents per hour which would be effective 12/31/2015.

Article XXVIII miscellaneous provisions is basically the residency requirement. And employees shall reside within any part of Kenosha County or Racine County. Newly hired employees must establish such residency within one year of the date of hire. The chief will have the opportunity to extend that by six months if there are some extenuating circumstances.

Article XXVI is the duration which reflects the two year contract for 2014 through 2015. And then we address two issues through side letters or memorandums of agreement. The first is saying that the fire chief can designate a qualified lieutenant to act as duty chief in absence of either chief or the deputy chief. And in that instance a lieutenant shall receive an addition \$2.20 an hour for the duration of that assignment. And then the second addresses overtime distribution and mandatory callback. This was a working document that both management and staff worked on. And it's a long document, and you have a copy of it in your package.

I'd be happy to answer any questions that you have. Otherwise we are recommending that you accept this agreement and let us move forward with adopting it.

Michael Serpe:

In the past it was relatively easy to negotiate with the municipalities. But now lately in the last couple years, last few years, the State has taken so much money from the municipalities and used it for whatever reason they wanted to use it for on the State level there's just so much less money to deal with with our represented employees and our non-represented employees. It's kind of a shame. Because in the past we used to give us raised for contributions towards the retirement fund. That's all gone now, it's gone, and it's no fault of anybody in this building. It's the fault of what we have to deal with with the State government, and it's too bad. I assume the firefighters have ratified this?

Mike Pollocoff:

Yes.

SERPE MOVED TO APPROVE THE 2014-2015 AGREEMENT BETWEEN THE VILLAGE AND THE PLEASANT PRAIRIE PROFESSIONAL FIREFIGHTER'S ASSOCIATION LOCAL 3785; SECONDED BY KECKLER; MOTION CARRIED 4-0.

E. Consider approval of WE Energies Distribution Easement for Underground utilities.

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Mike Spence:

Mr. President and members of the Board, the reconstruction of 39th Avenue will start next spring. As part of the overall project in this area the Village has asked We Energies to move their overhead power lines to underground. The pictures you see there just show the overhead lines in the vicinity of Village Hall. Again, just showing the lines on the east side. The utility work, what they're going to be doing, they're going to be burying the electric lines on the east side of 39th Avenue from 100th Street north to Springbrook, and then also along Springbrook to the end of the Village owned property for the new Fire Station No. 1.

As part of this work We Energies requires a 12 foot easement for the relocated underground lines. And this easement is to allow for the installation, operation, maintenance, etc. for their utility. This shows the general alignment of the utility. Again, that follows the right of way of 39th Avenue and Springbrook Road, again on the east side. So with that we've reviewed the easement language, and we find it to be acceptable. And we recommend that the Village agree to this easement so that once we agree to that then they'll actually start the work this fall yet. So I'd be glad to answer any questions.

Steve Kumorkiewicz:

One question, Mike. How deep are the lines buried?

Mike Spence:

Typically these lines are buried not real deep, about three feet from the grade. What will happen is when they bury the utilities we have to get the grade to within four inches of where it's going to be so if there's any grade changes. But the bottom line is when they're done it will be in the vicinity of three feet deep.

KUMORKIEWICZ MOVED TO APPROVE APPROVAL OF WE ENERGIES DISTRIBUTION EASEMENT FOR UNDERGROUND UTILITIES FOR THE 39TH AVENUE RECONSTRUCTION PROJECT; SECONDED BY KECKLER; MOTION CARRIED 4-0.

F. Consent Agenda

- 1) Approve Operator License Applications on file.**
- 2) Approve Letter of Credit Reduction for the Ashbury Creek Development.**

SERPE MOVED TO APPROVE CONSENT AGENDA ITEMS 1 AND 2; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

8. VILLAGE BOARD COMMENTS

John Steinbrink:

Just to reiterate, John Braig talked about Bain Station and the blockage there. 95th Street this is all too often occurrence, a great inconvenience to a lot of people using that road especially in the morning when they're trying to get to school or to work. The Village has had discussions with the railroad, the Railroad Commissioner, We Energies. We received promises they're going to do better, and to this date really nothing has occurred. And I think it's actually gotten worse at times than better. There's a lot they could do to make improvements here.

Just as a side note I was on 60th Street, same thing happen when the coal train crossed 60th Street going south. Four cars crossed the intersection with the engine and it stopped. Engineer got out, walked up and down, people sat there for a long time. And after 30 or 40 minutes we just gave up and turned around and went to Highway 50. I mean there's no rhyme, there's no reason. The railroad is a very hard [inaudible] to deal with.

I know the Chief is looking at 104th Street and what we can do there. And the Village has it. It's a shame they left before citizens' comments, but we cannot talk about these things during citizens' comments. That's the way the law is interpreted from Madison and the higher above there. But I get people have to realize that we have construction on Highway 50 and the interstate. A lot of traffic is re-routed that way now. People use it especially on the north side of Highway 50. With the C and H roundabout which, by the way, is very nice and turned out very well and flows very nice, and good comments from everybody that uses it that directed traffic down there, too. So hopefully a lot of this will let up. But I think the one thing to remember is this is an arterial, and that has to be taken into consideration whatever our actions are. Any other Board comments?

Steve Kumorkiewicz:

If I recall correct the railroad used to be fined \$50 a minute.

John Steinbrink:

Doesn't apply, right?

Mike Pollocoff:

No, a law was passed -- I'm sorry, a court decision that municipalities are no longer able to fine railroads for obstructing the road.

[Inaudible]

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John Steinbrink:

We're lucky we kept the road open. They wanted to close Bain Station. Anything else under Village Board comments?

9. **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.**

John Steinbrink:

The Board will return to open session for the purposes of adjournment only. And I want to commend the young ladies for your attention this evening. You sat through a fairly lengthy, and we thank you for your representation of the Village. You guys do a great job. Very poised and very articulate.

Michael Serpe:

So moved and roll call.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion by Mike, second by Steve. Roll call vote is requested.

SERPE 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 KUMORKIEWICZ; ROLL CALL VOTE – STEINBRINK – AYE; KECKLER – AYE; KUMORKIEWICZ – AYE; SERPE – AYE; MOTION CARRIED 4-0

John Steinbrink:

Motion carries, four ayes and one absent.

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10. RETURN TO OPEN SESSION AND ADJOURNMENT

After discussion held in closed session, **KECKLER MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY SERPE; ROLL CALL VOTE – STEINBRINK – AYE; KECKLER – AYE; KUMORKIEWICZ – AYE; SERPE – AYE; MOTION CARRIED 4-0 AND MEETING ADJOURNED AT 7:50 P.M.**