



MINUTES VILLAGE BOARD

Village Hall Auditorium
9915 - 39th Avenue
Pleasant Prairie, WI

A regular meeting of the Pleasant Prairie Village Board was held on June 17, 2019. Meeting called to order at 6:00 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Mike Pollocoff, Dave Klimisch and Mike Serpe. Also present were Nathan Thiel, Village Administrator, Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; Dave Smetana, Chief of Police; Craig Roepke, Chief of Fire & Rescue; Matt Fineour, Village Engineer; John Steinbrink Jr., Public Works Director; Carol Willke, Human Resources Director; Dan Honore', IT Director; Sandro Perez, Inspection Superintendent; Craig Anderson, Recreation Director and Jane C. Snell, Village Clerk. 4 citizens attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC HEARING

A. Consider Resolution #19-20 for approval of a street name change of 120th Avenue (West Frontage Road) to 122nd Avenue within the Village.

Jean Werbie-Harris:

Mr. President, this is a request for Resolution 19-20 for approval of a street name change of 120th Avenue or the West Frontage Road to 122nd Avenue within the Village. This was before the Village Plan Commission for their last meeting, and they're recommending that the Village Board consider approval. So this is a public hearing this evening for the Village Board to consider the street name change. Again, this would extend all the way from 122nd Street north all the way to Highway C in Pleasant Prairie.

Specifically on the east side of the interstate we have 120th Avenue, on the west side of the interstate we have 120th Avenue. And we are starting to get into a situation where we could have properties addressed on both sides of that highway or that street. So as a result before we get any users to have addresses we feel that it would be appropriate to take a look at the street name change. So 120th Avenue on the east side of I-94, 122nd Avenue on the west side of I-94. As you look up and down the interstate all the way up to Milwaukee various municipalities have already changed the frontage road naming system. Some have 122nd Avenue, some have other names of local significance. But this is a matter for public hearing, and I'd like to continue the hearing at this time.

John Steinbrink:

This being a public hearing we'll open it up to public comment or question.

Jane Snell:

Mr. President, there were no signups this evening.

John Steinbrink:

Anyone wishing to speak? Hearing none I'll close the public hearing and open it up to Board comment or question.

Mike Pollocoff:

Jean, what will the new north/south road going through Prairie Highlands be, what avenue would that be?

Jean Werbie-Harris:

That would be 122nd Avenue -- sorry, 128th. West of the frontage road or are you talking about the frontage road?

Mike Pollocoff:

West of the frontage road.

Jean Werbie-Harris:

Yes, that's 128th Avenue.

Michael Serpe:

There's no homes that are affected by this change at all?

Jean Werbie-Harris:

No.

Michael Serpe:

Move approval of 19-20.

Dave Klimisch:

Second.

John Steinbrink:

Motion and a second. Did we close the public hearing? I guess we did. Motion and a second, any further discussion? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED TO APPROVE RESOLUTION #19-20 FOR THE STREET NAME CHANGE OF 120TH AVENUE (WEST FRONTAGE ROAD) TO 122ND AVENUE WITHIN THE VILLAGE; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

5. CITIZEN COMMENTS

John Steinbrink:

Anyone wishing to speak under citizens' comments? Hearing none we'll close citizens' comments.

6. ADMINISTRATOR'S REPORT

Nathan Thiel:

Mr. President and Village Board I have two items just to bring to your attention. First, at the last meeting I reported on AB235 that went before an Assembly hearing, and was recommended to go forward to the Assembly. They are actually bringing that bill before the Assembly tomorrow during their session. Also, the Senate had a hearing, Senate Bill 251 was presented and had a favorable recommendation to the Senate. As I reported last time this bill is with regards to the We Energies Power Plant and the decommissioning of the plant and how it impacts the community and how utility state aids can be recouped by a community. In talking with the representatives, Representative Kerkman and her staff, both of these bills appear to be on a positive track. And so hopefully shortly we'll see them before the Governor. So I will keep you abreast, but I just wanted to report on the positive movement with those two bills.

Second item, Community Collaborations Group, the committee that has been a public engagement process discussing the Village Green Center and that development is coming to a close. And just this last meeting last Thursday we were discussing with -- or Todd Streeter the consultant was discussing with the group potential dates for presenting before the Village Board. And I wanted to inform you of those dates. So Thursday, July 11th they will be holding an open house for the public to come and view displays and do question and answer with the committee.

So each subcommittee, there are eight subcommittees, will basically have a display set up, and members of the community can come and ask questions and learn about their thought processes. That meeting will be from 5 to 8 p.m. that Thursday.

And then finally the Community Collaborations Group plans to present to the Village Board and the Plan Commission two weeks later on Thursday, July 25th. The time right now is tentatively scheduled for 6 p.m. to 8 p.m. There was an inquiry about whether we could move that time frame up an hour. So I do have an inquiry to Todd Streeter with that regard. But I will keep you posted. But Thursday, July 25th. The last meeting that we attended staff went away with very positive feelings. It was an exciting opportunity to watch. The presentation was very polished and some very good ideas brought forward by the committee. And so we look forward to seeing the final product and moving that project forward. And that's all I have.

John Steinbrink:

That's all you've got? Nothing more? All right.

Nathan Thiel:

Unless you have questions.

John Steinbrink:

Any questions?

7. NEW BUSINESS

John Steinbrink:

Do you want A and B taken together, Jean?

- A. Consider Plan Commission Recommendation and approve Ordinance #19-13 for Comprehensive Plan Amendments to the Village 2035 Land Use Plan Map 9.9 as it relates to vacant Lots 1 and 3 of CSM 2893 generally located east of 9201 Wilmot Road to correctly identify field delineated wetlands and update Appendix 10-3.**
- B. Consider Plan Commission Recommendation and approve Ordinance #19-14 for a Zoning Map Amendment to rezone the field delineated wetlands relating to vacant Lots 1 and 3 of CSM 2893 generally located east of 9201 Wilmot Road into C-1, Lowland Resource Conservancy District.**

Jean Werbie-Harris:

So Items A and B, consider the following requests of Kevin Risch with Clark Dietz, agent, on behalf of Prairie Holdings LLC, owner of the vacant property east of 9201 Wilmot Road related to recent wetland delineations be completed. There are two items on the agenda related to this item, a Comprehensive Plan Amendment which is Ordinance 19-13 and a Zoning Map Amendment which is Ordinance #19-14.

As you will recall, a Master Conceptual Plan for a limited manufacturing development was conditionally approved by the Board on February 4, 2019. At that time we had identified three lots to be created, a Lot 1, 2 and 3, and this is just kind of to the north of 9201 Wilmot Road. At that time there were a series of wetland delineations that were completed on the property. Since that time some have been identified as artificial wetlands, and others were identified as wetlands to be preserved and protected.

So as a result the request this evening as was before the Plan Commission who held the public hearing is to consider the Comprehensive Plan Amendment, and this is to put the wetlands that have been determined by the Wisconsin DNR to be exempt into the Park and Recreational and Open Space Lands with field delineated wetland land use designations, to modify the Land Use Plan Map 9.9 and to update Appendix 10.3. Again, this is to reflect the wetland delineations that were done on the property.

The second item related to this is the Zoning Map Amendment. And, again, this is so that the areas that have been identified as field wetlands would be placed into the C-1, Lowland Resource Conservancy District. And the remaining would be placed into the designated Manufacturing District. The staff and the Plan Commission recommend approval as presented, again, noting that Wetlands A, B and C and I are exempt per the DNR letter dated August 2, 2018, and the U.S. Army Corps of Engineers is not taking jurisdiction on those wetlands.

Mike Pollocoff:

I move approval of Ordinance 19-13.

Kris Keckler:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion? A roll call vote has been requested.

Jane Snell:

John Steinbrink?

John Steinbrink:

Aye.

Kris Keckler:

Aye.

Mike Pollocoff:

Aye.

Dave Klimisch:

Aye.

Michael Serpe:

Aye.

John Steinbrink:

Motion carries.

Kris Keckler:

Move approval of Ordinance 19-14.

Dave Klimisch:

Second.

John Steinbrink:

Motion and a second. Further discussion? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

POLLOCOFF MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVED ORDINANCE #19-13 FOR COMPREHENSIVE PLAN AMENDMENTS TO THE VILLAGE 2035 LAND USE PLAN MAP 9.9 AS IT RELATES TO VACANT LOTS 1 AND 3 OF CSM 2893 GENERALLY LOCATED EAST OF 9201 WILMOT ROAD TO CORRECTLY IDENTIFY FIELD DELINEATED WETLANDS AND UPDATE APPENDIX 10-3; SECONDED BY KECKLER; ROLL CALL VOTE – STEINBIRNK – YES; KECKLER – YES; POLLOCOFF – YES; KLIMISCH – YES; SERPE – YES; MOTION CARRIED 5-0.

KECKLER MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVED ORDINANCE #19-14 FOR A ZONING MAP AMENDMENT TO REZONE THE FIELD DELINEATED WETLANDS RELATING TO VACANT LOTS 1 AND 3 OF CSM 2893 GENERALLY LOCATED EAST OF 9201 WILMOT ROAD INTO C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

- C. Consider Plan Commission Recommendation and approve Certified Survey Map for the creation of two properties generally located on the northwest corner of 109th Street and 80th Avenue.**

Jean Werbie-Harris:

Mr. President and members of the Board, this is a request by Melissa Roman with CenterPoint Properties. And what they are requesting is a Certified Survey Map for the northwest corner of 109th Street and 80th Avenue. The purpose for this is that Ta Chen International intends to expand the building and site improvements on the property located at 8500 109th Street by constructing a 265,298 square foot addition onto their existing facility. Again, CenterPoint owns the properties so their tenant is Ta Chen.

Ta Chen International is a leading master distributor of stainless, aluminum and nickel alloy coils, sheets, plates, long products, tubes, PVFs. TCI is an industry leader in inventory depth, breadth and availability and efficiently serves over 3,000 customers nationwide through eight strategically located warehouses. As you know as mentioned previously that the owner founded the company in 1989, and they expanded into Pleasant Prairie in 2014. With this new proposed addition the facility will be 736,943 square feet. Ta Chen currently employs about 65 office and warehouse employees at its Pleasant Prairie location.

The new expansion would facilitate greater warehousing and shipping operations from their facility. The area currently exists as five separate parcels. The CSM would redivide the 48.6 acres of land into two parcels. The project would include an expansion to the building to the east along with additional dock areas. The existing driveway access points would remain with one new access to 80th Avenue. A total of 43 additional future truck parking spaces would be create. They are still looking to maintain over 25 percent green space on the site. It's anticipated that construction would begin in the summer of 2019 and would be completed in the spring of 2020.

Again, CenterPoint Properties will continue to be the landowners, and Ta Chen would occupy the building along with the addition.

The Certified Survey Map does meet and exceed minimum lot area requirements. Again, Lot 1 would be 36 acres which would be utilized by Ta Chen. And Lot 2 which would be a new lot would be 12.6 acres of land. So with that the staff and the Plan Commission recommend approval subject to the few comments and conditions as outlined in the staff memorandum.

Dave Klimisch:

Jean, you said the existing building is going to expand to the east.

Jean Werbie-Harris:

Correct.

Dave Klimisch:

As opposed to a second building of some sort? Or the expansion would go all the way over to 80th Avenue minus a setback or would it not be --

Jean Werbie-Harris:

Correct, correct. And I believe that CenterPoint would be looking at a possible second building of some type to be located on the Lot 2 area. That project has not been advanced to the Village yet but it's a separate parcel.

Dave Klimisch:

The new driveway cut on 80th is that for both lots?

Jean Werbie-Harris:

No, for Ta Chen that would be one new cut or opening onto 80th Avenue. At this point we have not worked through the new design or layout for a new building yet on Lot 2 so we would look at that. Again, 80th Avenue has got a median that runs down through the center of it. So there's a median that separates them from the uses on the east side of 80th Avenue.

Dave Klimisch:

So both properties could have access from both sides, east and west side?

Jean Werbie-Harris:

Correct. Ta Chen now currently has access to the north, they have access to the south and they'll have access to the east because they abut public streets on three sides.

Dave Klimisch:

I move approval of the Certified Survey Map.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second for approval. Any more discussion? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

KLIMISCH MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVED CERTIFIED SURVEY MAP FOR THE CREATION OF TWO PROPERTIES GENERALLY LOCATED ON THE NORTHWEST CORNER OF 109TH STREET AND 80TH AVENUE; SECONDED BY SERPE; MOTION CARRIED 5-0.

D. Consider Plan Commission Recommendation and approve Lot Line Adjustment between properties located at 9154 30th Avenue and 9145 32nd Avenue.

Jean Werbie-Harris:

Mr. President and members of the Board, this is a request for a lot line adjustment between properties located at 9154 30th Avenue owned by Kari Schmitz and 9145 32nd Avenue owned by Anthony Gucciarodo. The property owners are requesting approval of a Lot Line Adjustment between their properties. A portion of the property which is 50 feet by 125 feet at 9145 32nd Avenue would be sold and attached to the other property at 9154 30th Avenue. The properties are both zoned R-4, Urban Single Family Residential District. And the zoning requires a minimum lot frontage of 90 feet and lot areas of 15,000 square feet.

The lot at this time at 9154 30th Avenue is only 50 feet wide abutting on 30th Avenue with a lot area of 10,200 square feet. So with this addition or attachment to that property he would be less nonconforming. The additional 50 feet which is 6,250 square feet of land area being added to the north side of the lot will then make it lot conforming to its area as well as its setbacks. This is a matter that was before the Village Plan Commission, and the staff and the Plan Commission recommend approval as presented.

Mike Pollocoff:

I'd recommend approval of the Lot Line Adjustment, the properties owned by Kari Schmitz and Anthony Gucciarodo.

Dave Klimisch:

Second.

John Steinbrink:

Motion and a second. Any further discussion? Sir, are you Anthony?

[Inaudible]

John Steinbrink:

How do you pronounce the name?

Mike Pollocoff:

Gucciarodo.

John Steinbrink:

Okay, thank you. We have a motion and a second. Any further discussion? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVED LOT LINE ADJUSTMENT BETWEEN PROPERTIES LOCATED AT 9154 30TH AVENUE AND 9145 32ND AVENUE; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

- E. Consider Plan Commission Recommendation and approve Ordinance #19-15 Zoning Text Amendment to amend Sections 420-148 B (119) and (120) related to specific conditional use permit standards for utility substations in the Village.**

Jean Werbie-Harris:

Mr. President and members of the Board, this is a Zoning Text Amendment, Ordinance 19-15 to amend Sections 420-148 B (119) and (120). And this is related to specific conditional use standards for utility substations. This particular amendment was initiated by the Village Board through Resolution 19-11 on April 15, 2019. And the Village staff has since evaluated the conditional use permit requirements for utility substations so that both sections 410-148 B (119) and (120) are consistent. And this involves for the reduction in setbacks for very small buildings to property lines rather than the required larger setbacks for much larger buildings within the particular district.

So the amendments are as follows: 410-148 B (119) and this is for utility substations or electric power or gas metering substations listed as conditional uses in the zoning ordinance. All substations shall be securely fenced, landscaped, screened and marked with appropriate warning signs. Minimum lot sizes shall be large enough to accommodate the applicable principal building, and the setbacks are being reduced to not less than ten feet or as approved by the Plan Commission to allow for proper landscaping and screening. The minimum lot frontage on a public street would be 50 feet, and the minimum gross area requirement would not be applicable.

Then is Section 410-148 B (120), and this is utility substation buildings only as a principal use and listed on its own lot listed as a conditional use in the zoning ordinance. Again, the same criteria, minimum lot size shall be a large enough lot to accommodate the applicable principal building and to reduce the setbacks to the underlying district and wetlands to not less than ten feet as approved by the Plan Commission. And that is to allow for proper landscaping and screening. The minimum lot frontage on a public street to be 50 feet. The minimum gross floor area requirement is not applicable. And utility substations shall be securely fenced, landscaped, screened and marked with the appropriate warning signs. And this is a matter that was before the Village Plan Commission for a public hearing, and the staff and the Plan Commission recommend approval. Again, the staff worked with our Village Engineering Department and Public Works Department in putting together this criteria.

Mike Pollocoff:

I think this is a good idea, and I think we need to do it. My only question is to the extent that this ordinance will be governing electric power or gas metering stations, is this ordinance going to be

able to supersede what the PSC would be approving when we give somebody a CPCN to do this work on the property?

Jean Werbie-Harris:

So the Village staff has been working with different utility companies that have been requesting substations and requiring conditional uses, and we have been working with them. Could the PSC's orders supersede this? Yes, it could. But we have been working with the different utilities so that it can still comply with the requirements of the ordinance. So we are trying to work with them so we're not overly burdening them with respect to our requirements. And this was another reason why we were looking at this.

Mike Pollocoff:

I just didn't know if there was a need to try and put a hook in here to require a gas or electric utility to notify us to include us on a list for a possible CPCN so that we would have the opportunity -- because they could do all this work ahead of time before we know about it. And if we know about it ahead of time at least we've got some way to get into the game on this. But my concern is that this is really what we need, but we might not know that they're doing this until they've already gotten their certificates from the PSC and they're on their way. And once that's happened then we can't do anything. I don't know if counsel has come up with -- has looked at this or we can find a way from just a public information or notice standpoint that the utility is being required to give the Village notice of application for a CPCN on these projects so that the residents in the Village have an opportunity to review it before the plans are completed and before they have their public necessity certificate.

Jean Werbie-Harris:

I think it's a really good idea to do that because we don't now get notification whenever there is a CPCN being presented at the Public Service Commission. I don't know if they're obligated to do it, but it certainly wouldn't hurt to put it in the ordinance. But I would probably have to discuss it with our Village attorney.

Mike Pollocoff:

To me it's more open government. All we're asking them to do, we're not saying yes or no or whatever, just give us notice that you're going to do it so that we know. They might not like that, but I don't think it's anything that's really onerous.

Jean Werbie-Harris:

So if you approve it this evening we certainly can to the extent that they're willing to do it that they provide notification to the Village. I could craft some language to that effect.

Mike Pollocoff:

I'd like to make that amendment that we have that language amended to the Ordinance 19-15.

Michael Serpe:

Is that a motion?

Mike Pollocoff:

That's a motion.

Michael Serpe:

Second.

John Steinbrink:

Motion and a second. Further discussion? This will just be subject to that being put in by the attorney.

Mike Pollocoff:

Whatever is legal language?

Nathan Thiel:

The other option would be for us to just bring it forward and put it on the consent agenda again, too, as well.

John Steinbrink:

That would be the best, yes.

Nathan Thiel:

Would you prefer that?

Mike Pollocoff:

Always.

John Steinbrink:

Motion and a second. Any further discussion? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

POLLOCOFF MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND APPROVE ORDINANCE #19-15 ZONING TEXT AMENDMENT TO AMEND SECTIONS 420-148 B (119) AND (120) RELATED TO SPECIFIC CONDITIONAL USE PERMIT STANDARDS FOR UTILITY SUBSTATIONS IN THE VILLAGE WITH THE AMENDMENT THAT THE PUBLIC SERVICE COMMISSION PROVIDE NOTICE TO THE VILLAGE; SECONDED BY SERPE; MOTION CARRIED 5-0.

F. Consider approval of partial releases to several recorded documents related to properties associated with The Vista at Creekside apartment development.

Jean Werbie-Harris:

So what you have before you this evening, Mr. President and members of the Board, are a series of documents of partial releases for some property that is located in the multifamily area of The Vista at Creekside development which is at the very north end. As you can see on the screened area in yellow its The Vista at Creekside, the very northwest corner of the former Creekside development was burdened with a number of documents that were recorded on title. They included development agreements, variance grant documents, stipulated conservancy documents, there are five of them I believe, memorandum of development agreement. So all of these documents are no longer application, or they're documents for areas that the conditions have been satisfied. So we've gone through each of these documents, and we've been working John Hotvedt and their attorneys out of Milwaukee to draft these lease documents so that they can be removed from the title.

Again, they all pertain to the previous condominium development for Creekside, and they are no longer applicable to the multifamily development for The Vista at Creekside. The development agreement that we have executed for their project does make a series of references not only to the multifamily development but the future single family development. And, in fact, they are also posting an additional letter of credit at this time for the single family development even though that has not been yet considered by the Plan Commission or the Board. So we have a lot of opportunities to work with them. Moving forward their intent is to submit their platting documents later this summer. But these different documents that they're asking for releases for are not longer applicable to their development. And we do have John Hotvedt here from Bear

Development if you have any other specific questions as to what's being required of them as part of their closing.

John Steinbrink:

We'll have a motion and a second first.

Dave Klimisch:

Move approval of the partial releases.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second. Any further discussion or questions for the petitioner? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

KLIMISCH MOVED TO APPROVE THE PARTIAL RELEASES TO SEVERAL RECORDED DOCUMENTS RELATED TO PROPERTIES ASSOCIATED WITH THE VISTA AT CREEKSIDE APARTMENT DEVELOPMENT; SECONDED BY KECKLER; MOTION CARRIED 5-0.

G. Consent Agenda (All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the General Ordinances of Business and considered at this point on the agenda.)

- 1) Minutes of Meeting - June 3, 2019**
- 2) Consider and approve The Cottages at Village Green Phase 2, Letter of Credit Reduction Request No. 4.**

Michael Serpe:

John, I would move approval of Consent Agenda Items 1 and 2.

Kris Keckler:

Second.

John Steinbrink:

This has got to be your favorite thing next to Village Board comments, right? I thought so. We have a motion and a second. Further discussion on any of the items on the Consent Agenda? Hearing none, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

**SERPE MOVED TO APPROVE THE CONSENT AGENDA ITEMS 1 AND 2;
SECONDED BY KECKLER; MOTION CARRIED 5-0.**

8. VILLAGE BOARD COMMENTS

Dave Klimisch:

Thank you for bringing back the Consent Agenda.

Michael Serpe:

I think it's good.

9. ADJOURNMENT

Michael Serpe:

With that I move to adjourn.

Dave Klimisch:

Second.

John Steinbrink:

Motion and second for adjournment. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**SERPE MOVED TO ADJOURN THE MEETING; SECONDED BY KLIMISCH;
MOTION CARRIED 5-0 AND THE MEETING WAS ADJOURNED AT 6:29 P.M.**