

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
PLEASANT PRAIRIE SEWER UTILITY**

Village Hall Auditorium

9915 - 39th Avenue

Pleasant Prairie, WI

April 1, 2019

6:00 p.m.

A regular meeting of the Pleasant Prairie Village Board was held on April 1, 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; Kathy Goessl, Finance Director; Dave Smetana, Police Chief; 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. One (1) citizen attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

John Steinbrink:

If people turn around you'll notice a large flag at the back of the room, and that is courtesy of Trustee Serpe. That's your father-in-law's flag.

Michael Serpe:

That's my father-in-law's flag.

John Steinbrink:

And he has donated that to the Village.

Michael Serpe:

He passed away about 12 years ago.

John Steinbrink:

We don't have to make a repair in the wall there. That worked very well.

3. ROLL CALL

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4. CITIZEN COMMENTS

Jane Snell:

Mr. President, we did have one signup this evening, Ken Harju.

Ken Harju:

Hello, everybody. I just came to say thanks. It's been a long time at Creekside that we got to a development that was a compromise and it's good for everybody. I'd just like to thank the Board, the Plan Commission, all the professionals that stood up here, the residents of the community and S.R. Mills and Bear Construction. That's for all your time, effort and everything else. And I'm grateful to be part of this Village. Thanks.

John Steinbrink:

Thank you. That's the only signup?

Jane Snell:

No further signups.

John Steinbrink:

Anyone else wishing to speak under citizens' comments?

5. ADMINISTRATOR'S REPORT

6. NEW BUSINESS

- A. Consider and approve Resolution #19-07 authorizing the Issuance and Sale of \$9,100,000 General Obligation Promissory Notes, Series 2019.**

Kathy Goessl:

I'll be talking about A and B together but we have to vote on them separately.

John Steinbrink:

Then we will take up Item B also.

- B. Consider and approve Resolution #19-08 Authorizing the Issuance and Sale of \$7,900,000 Taxable General Obligation Promissory Notes, 2019.**

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Kathy Goessl:

Mr. President and the Village Board, we went out for sale today on two issues, a taxable issue and a tax exempt issue. The first one, the \$9 million, is a tax exempt issue. It sold at nine million ninety instead of the \$9,100,000 that was on the resolution. This is for three purposes. First of all the first purpose is for RecPlex. We're borrowing for a little over \$3.2 million in projects. Most of these projects have already been completed. We're reimbursing the RecPlex about \$2.6 million. The biggest projects that were done out there was the bathroom expansion off the field house and the pool pack improvement in the pool for one was a little under a million dollars, the other one is a little over a million dollars. And then there's other smaller projects that were done throughout the building and then a couple projects yet to be done.

And the second purpose for this tax exempt issue is TID #6 Main Street highway improvements for a little over \$2 million. There's improvements to Highway 165 intersection, modifications to Old Green Bay Road, traffic signals on 102nd Street east extension. This bond is being issued based on a guarantee by Froedtert for the tax increment to be generated. And then the third purpose for this tax exempt is in TID #5 Prairie Highlands. We're looking at \$1.6 million in road improvements. And then we're looking at \$1.6 million in a water main extension east of I-94 to finish the loop in that section. And then we have some planning for the roundabout for three hundred and fifty that has been borrowed. So those are the purposes for the tax exempt borrowing.

And then the second resolution is for taxable borrowing of \$7.9 million. This is all in Prairie Highlands Corporate Park. The first part of it is, the major part of it is Prairie Highlands grading for a little over \$5.2 million. And then there's also a development grant to Aurora for the grading they did on their own site for \$1.8 million. And then also the electrical and gas that's being run out in Prairie Highlands is also a taxable issue. Total issue for these things are a little over \$7.8 million. Standard and Poors has maintained our rating of double A stable. And Gene Schultz is here from Piper Jaffray and Jim Towne from Alpine Valley. And Gene is going to talk a little bit about the interest rate environment and how our bonds priced out.

Gene Schultz:

My name is Gene Schultz. I'm Managing Director for Piper Jaffray. I'll talk about the issue itself this morning. We went out at 9 a.m. with both issues. The taxable issue sold out within the end of our order period which would have been an hour later at ten o'clock so we sold 100 percent of that. The tax exempt issue we had problems with. Out of the \$9,090,000 we sold about \$700,000, but underwriting committed to it. So without having sold more than \$700,000 we committed to the underwriting. And that will be validated by an underwriter certificate. So Piper takes a lot of risk at that point in time. But they believed in the pricing.

What caused the problem we believe is that we kind of came up with a scale last Friday and interest rates were looking good. The rates this morning the ten year jumped up eight basis points right while we were doing the pricing. It made everybody a little bit skittish. But they believed in the pricing so we stuck with the pricing. And I believe the net interest cost for the tax exempt was a 2.54. I know Jim back there said he was talking to one of the board members, and Jim says

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I think it was a 2.58, and the trustee said, well, if it's not 2.54 I may not vote for it. So somehow it just worked out that way. You can look at the actual run.

Now, talking in general just to give you a brief rundown on interest rates, the last time we did a financing for Pleasant Prairie was November 5th, the ten year was 3.20. Now, this morning while we were doing the pricing the ten year was at a 2.48. So there was a substantial decrease in the interest rate. And I took a look at the pricing that we did in November compared to this one, and there was about 60 basis points difference. So that amounts to substantial savings. The differential in the ten year for the last sale on this year is approximately 20 percent.

Just to give you a rough idea of how rates went since the last, the high point for interest rates was three days after we did the initial pricing for November 5th, it was at a 3.23. The low in interest rates during that intervening period was March 29th which was last Friday, 2.37. So then this morning when we went out it was 2.48. So that's a lot of figures, but the difference between the high and the low just within a five month period is 86 basis points with 27 percent differential in how interest rates fluctuate. I think the last time I was here I talked about the trend in interest rates and that was in an up trend. And I said I can't predict if it will keep going that way, but I would say that if the economy turns around meaning going down interest rates will go down. And I think that's exactly what happened. So sometimes you're right and sometimes you're wrong, but I think in this case. So if there's any questions I'm here to answer them.

John Steinbrink:

Thank you, Gene. Any questions for Gene?

Mike Pollocoff:

I've got a quick question. Nathan, on the private utilities, gas and electric, does that amount for everything in Prairie Highlands or is it just --

Nathan Thiel:

Yes, so they're current working on everything including, and correct me if I'm wrong, but the stormwater utilities are also included in that as well. We do not have fiber when you're talking utilities.

Kathy Goessl:

So we still have a substantial amount of our escrow left to pay for water, sewer and storm. And what we ran out of money for in the escrow was the private grading which we are borrowing right now as taxable. And then this \$1.6 is based on Matt's, our engineer's estimate that we're going to be spending in the next year. We needed a little bit extra money off of TID 5 to finish up the road portion. So the storms are mainly in the escrow still and not in this borrowing. The only thing in this borrowing is the roads and the water main that was not in the original TID #5. The water main that's over by I-94 Stateline, that's the water main that wasn't in there. And the

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roundabout, of course, wasn't in there so that had to be pulled out and taken out of the escrow. And the electric and gas wasn't in there either.

Dave Klimisch:

Kathy, you said S&P has kept us at double A stable. Can you just review where that is, what's above and what's below it.

Kathy Goessl:

Is it A1 below it? Double A minus is below or double A plus is above. The major reason why we're not moving upward is because of the level of debt we have outstanding. I was just talking to Gene before our meeting, he's believing that after pay off the big portion of TID 2 debt we should be able to ask for an upgrade in our rating. But right now that's the major reason why we can't get an increase in rating because of the amount of debt that we have outstanding mainly for TID 2.

Mike Pollocoff:

I think given what it looks like performance for TID 2 is and TID 5 I don't think we really have anything to worry about. I hate to say that but both those projects are in real good shape.

Nathan Thiel:

That's correct. We're on trajectory. I mean technically speaking depending on land sales there's even the potential to close out TID 2 earlier versus the full term.

Kathy Goessl:

Every time we go out for a borrowing out for the TIDs we do a cash flow. We re-project what has already happened and then what we are still projecting to happen to make sure that when we structure the debt that it will fill into the cash flow schedule that gets revised each time we borrow.

Michael Serpe:

What's the estimated value to the Village when TID 2 matures approximately? I'm not asking for --

Kathy Goessl:

We're at like \$3 point something billion. I don't know off the top of my head what it is. But in terms of the increment we're collecting from them is like \$14 million I know for a fact. I don't have the other numbers off the top of my head.

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Nathan Thiel:

And of that \$14 million basically the percentage that would be the Village's is close to like three.

Michael Serpe:

I move approval of 19-07.

Dave Klimisch:

Second.

Kathy Goessl:

Do we need a roll call vote on these two resolutions?

John Steinbrink:

Correct. We have a motion and a second. Any further discussion? Hearing none, roll call vote is requested.

Jane Snell:

John Steinbrink?

John Steinbrink:

Aye.

Kris Keckler:

Aye.

Mike Pollocoff:

Aye.

Dave Klimisch:

Aye.

Michael Serpe:

Aye.

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Dave Klimisch:

Move approval of Resolution 19-08.

Michael Serpe:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion on 19-08? If not, a roll call vote is also requested.

Jane Snell:

Mike Pollocoff?

Mike Pollocoff:

Aye.

Kris Keckler:

Aye.

John Steinbrink:

Aye.

Dave Klimisch:

Aye.

Michael Serpe:

Aye.

John Steinbrink:

Both motions carry. Thank you, Gene.

**SERPE MOVED TO APPROVE RESOLUTION #19-07 AUTHORIZING THE
ISSUANCE AND SALE OF \$9,100,000 GENERAL OBLIGATION PROMISSORY NOTES,
SERIES 2019; SECONDED BY KLIMISCH; ROLL CALL VOTE – STEINBRINK – YES;
KECKLER – YES; POLLOCOFF – YES; KLIMISCH – YES; SERPE – YES; MOTION
CARRIED 5-0.**

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KLIMISCH MOVED TO APPROVE RESOLUTION #19-08 AUTHORIZING THE ISSUANCE AND SALE OF \$7,900,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES, 2019; SECONDED BY SERPE; ROLL CALL VOTE – POLLOCOFF – YES; KECKLER – YES; STEINBRINK – YES; KLIMISCH – YES; SERPE – YES; MOTION CARRIED 5-0.

C. Consider and approve the Offer of Purchase for vacant known as parcel No. 92-4-122-153-0050 between the Village of Pleasant Prairie and Creekside PP, LLC.

Tom Shircel:

Thank you, Mr. President and Trustees. Before you for consideration is a vacant land offer to purchase. The Village owns a piece of land north of the to be 91st Street adjacent to Creekside Vista. It's Parcel Number 92-4-122-153-0050. And if the Board will remember from the last Board meeting they did approve a conceptual plan for Creekside Vista residential development. And specifically this 1.89 parcel if you look on your screen like I said is located just east of Green Bay Road and north of 91st Street. And, again, this parcel is proposed to be purchased by Creekside PP, LLC.

The parcel would accommodate a portion of four other proposed 7 20-unit buildings. It would accommodate a portion of the parking area and a portion of the detached garages to serve that development. Again, it's approximately 1.89 acres. It's currently unimproved land. Condition will be sold as is. There's a due diligence period of 60 days and a closing date no later than 15 days after the satisfaction of that due diligence period. Earnest money would be put up of \$2,500, and the recommendation of staff is to approve the vacant land purchase for a total purchase price of \$76,700. If you have any questions I'll be happy to answer them.

Michael Serpe:

Tom, I'd like to include in the \$76,000 whatever closing costs are involved that the buyer pick up those as well.

Tom Shircel:

Yes, we had a discussion with Creekside previous to the meeting and they're willing to pick up those costs.

Michael Serpe:

Then I'll make a motion to approve the offer to purchase.

Kris Keckler:

Second.

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John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

SERPE MOVED TO APPROVE THE OFFER OF PURCHASE FOR VACANT KNOWN AS PARCEL NO. 92-4-122-153-0050 BETWEEN THE VILLAGE OF PLEASANT PRAIRIE AND CREEKSIDE PP, LLC; SECONDED BY KECKLER; MOITION CARRIED 5-0.

D. Consider and approve the Prairie Highland Corporate Park Purchase and Sale Agreement between Village of Pleasant Prairie and Offsite, LLC.

Nathan Thiel:

Village Board, this agreement would be between the Village of Pleasant Prairie and the buyer Offsite, LLC. This would be the third parcel or lot within the Prairie Highlands Corporate Park. This use is a data center for third party storage. And one of the discussion points that we've had is regarding the zoning of the M-5 use and making sure that this use was a good fit for the Prairie Highlands Park.

Not presented to you tonight are conceptual designs that we've been reviewing with the potential land owner. But their intention is to make it a very highly attractive site. And on top of that as a part of our discussions and negotiations this company has some very high visible users or individuals that are storing data at their facility which elevates this company into a higher tier bracket.

They are proposing the purchase of 12 acres. This would be immediately north of the outlot. It will require a developer's agreement. And it will also require the Prairie Highlands Corporate Park architectural and development control committee to review plans. Again, like I mentioned before, as a part of this proposal or this project it would be a requirement that they elevate the design standards so that it is attractive and something that will reflect the image that we want to portray at Prairie Highlands.

Part of their contingency is making sure that there is power to the site, and currently We Energies is looking at putting a substation on the east side of I-94. And so that will be a critical piece for the buyer. So this agreement will also be contingent on or subject to Village approvals. Their due diligence period is set to be until November 30th. And the primary reason is, one, that we can complete our improvements at Prairie Highlands. And then, two, so that the substation --

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they can have some assurance that a substation will be put in. And then after that a 30 day due diligence period for closing. So closing will take place before the end of this year.

There is a minimal earnest money being put down of \$10,000. The total purchase price is \$185,000 per acre so roughly coming out to \$2.2 million. There is a brokerage fee, but we intentionally negotiated so that the closing costs basically set us at a per acre dollar amount that we felt comfortable with, and so it will roughly be about \$175,000 per acre. That's the nuts and bolts of the PSA. If there are any questions I'd be more than willing to answer them at this time.

Mike Pollocoff:

I think you've negotiated a good deal for the Village, and it's a good amount in that corporate park. I think getting to the price you did was a good target for the parcel that in it's location and given the size. So I'd move that the Village move into a purchase agreement for Offsite with the terms and conditions identified by the Village Administrator.

Kris Keckler:

Second.

John Steinbrink:

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

Nathan Thiel:

Can I just add one other point just to note. Because I know that when we typically talk about data centers that isn't necessarily the highest, we don't necessarily think fancy. But given the dollar amount that they're willing to pay for this site, and that was something that we really discussed as a team, and the amount of vetting that we spent with this company I know that they're going to produce a high quality product. And so that's the intent. So just in case there is ever any question or the Board is asked any questions regarding the use, we're confident that this will be a good opportunity and prospect for Prairie Highlands Corporate Park.

Michael Serpe:

Nathan, would there be any chance that Wisconsin Energy wouldn't put a substation to service it?

Nathan Thiel:

That is a great question, and that's something that Offsite -- how I understand it, that's going to be something that they're going to be pushing pretty heavily on their end to make sure that that does take place.

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Michael Serpe:

It has to take place for this to work, right?

Nathan Thiel:

Correct.

Mike Pollocoff:

Aren't they doing that substation anyway, it's just a matter of sizing it?

Nathan Thiel:

Correct, and it's also a matter of timing. So right now I guess the point is that We Energies, for instance, has it in their plans to put the substation in. Unless there's someone else coming to the table expediting that process they're going to do it on their time frame. And so those are going to be some decisions that Offsite is going to need to make and review. Tom, would you add anything?

Tom Shircel:

I completely concur with that.

Michael Serpe:

Was there a second to my motion?

John Steinbrink:

Yes. Any further discussion? If not, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

E. Consider and approve Resolution #19-09 Authorizing the Village of Pleasant Prairie to enter into an agreement with the City of Kenosha and Wisconsin Department of Transportation for the improvement of State Highway 50.

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Nathan Thiel:

So in your Village Board packet I outlined several whereas clauses, and I won't belabor the meeting by reading through them all. But in short the Village has spent a significant amount of time working with the City of Kenosha and with DOT to get the City to a point where they can move forward with this project. They currently are the lead agency, and they had significant concerns with some of the obligations that they had previously committed to. I know Mike and John have spent some time with me in the Mayor's office. In the end the Village is committing to no more than what they had previously committed to in the state municipal agreement. It's just the way we're expending funds is a little bit different than what had originally been agreed to.

In the end the Village is basically going to commit to pay \$1.5 million towards the project as a local share to the DOT. And then we had originally committed to pay for installation of Frontage Road, 109th Avenue. Instead of the Village paying those portions of the price those funds will be utilized for a right of way acquisition, in particular the right of way acquisition the majority of it is taking place in the City of Kenosha. So it's just a different way to cut the pie if you will. But I think in the end this is a much needed asset and much needed improvement and will be of benefit to the Village.

Michael Serpe:

When's the anticipated project going to start?

Nathan Thiel:

So portions of the project are going to begin even this year. I know that they're wanting to let portions of the project this year. But it will extend all the way into 2023.

Michael Serpe:

Any land acquisitions that have taken place, has that taken place already?

Nathan Thiel:

So the Village's land acquisition has taken place particularly for 109th. I know that Matt can maybe answer this, but I know that we're working also on some minor right of way and areas where utilities that are going to need to be modified. But, again, the majority of the right of way acquisition for some frontage road areas is with the City of Kenosha.

Mike Pollocoff:

We already had come to an agreement on this a few years back. That's how long the project has been hanging out. And I think that this agreement here what I think it really does it is kind of caps our cost. We know what our number is going to be. On the previous agreement there was upsides so if costs went up costs went up. And it would be in areas where the Village had no control over what those costs would be. So I think this is good. If you look at the big picture I

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think it's a \$73 million, \$72 million project. And the Village is going to benefit by that greatly. If you just look at the traffic on Highway 50 between Highway 31 and 94 it's crazy. So this is needed. I believe it's needed in the City, too. But we do need definitely the improvements.

Nathan Thiel:

The total investment is actually \$87 million in the resolution, and that was the last estimate that we had received from the DOT. And just to piggyback, it's a little bit disappointing that perhaps the City doesn't feel this project is as critical or vital to them which could be argued significantly. But I do think that in the end this is a critical project for the region as a whole and for the Village.

John Steinbrink:

We know that the costs are going to continue to rise, and the agreement that we discussed spelled out the jurisdiction and maintenance parameters of Highway 50 so that everybody was in agreement and there would be no discrepancies in the future hopefully.

Michael Serpe:

Matt or Nathan, do we know what the lane closures are going to be east and west for Highway 50 during the construction?

[Inaudible]

Michael Serpe:

Because Highway C is probably going to be get busy, Bain Station is probably going to get busy, and I don't know if either one of those roads are capable of taking on any additional traffic. It's going to be rough, it's going to be rough.

Nathan Thiel:

We'll just direct them to Kenosha.

Michael Serpe:

Go through the neighborhood and it will work perfect.

Kris Keckler:

Move approval of Resolution 19-09.

Mike Pollocoff:

Second.

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John Steinbrink:

Motion and a second. Any further discussion? If not, those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries. The City will be acting on theirs or did act?

Nathan Thiel:

I couldn't tell you how the City is going to proceed.

John Steinbrink:

They'll be doing the same thing.

Nathan Thiel:

They're going to be signing the same letter. We presented it with a cover resolution in order to further explain that letter.

John Steinbrink:

The transgression.

Nathan Thiel:

Right.

John Steinbrink:

Okay.

POLLOCOFF MOVED TO APPROVE THE PRAIRIE HIGHLAND CORPORATE PARK PURCHASE AND SALE AGREEMENT BETWEEN VILLAGE OF PLEASANT PRAIRIE AND OFFSITE, LLC. WITH THE TERMS AND CONDITIONS IDENTIFIED BY THE VILLAGE ADMINISTRATOR; SECONDED BY KECKLER; MOTION CARRIED 5-0.

F. Consider and approve the award of contract for the 2019 Ladish Tower Painting Project to Lane Tank Company, Inc.

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John Steinbrink, Jr.:

Mr. President and members of the Board, this evening I bring before you the award of contract for the 2019 Ladish Tower painting project. The tower is located on Highway C and Highway H by the Ladish factory or when it was a factory. It as painted in the late '90s when we actually had to change the elevation of it when we put it on the same pressure zone. There's not that many tank painting companies that are around so that's why we only got two bids. Both of the companies that we have are very good companies so we'd be happy with either one of those companies doing the work.

So we did get pricing from both of the companies that we would accept. They've both done work in the Village in the past. Lane Tank Company came in at \$330,750 which is under budget where we were hoping to be. By the time you add in some engineering and any contingencies that may happen to upgrade the tower to where it needs to be to meet all the DNR specifications we should still be under budget which we're happy to announce. So I guess any questions you may have about the tank painting I can answer. But I do recommend the contract be executed with Lane Tank Company for the amount of \$330,750.

John Steinbrink:

So is this inside, outside, the letter, the whole shebang or just the outside?

John Steinbrink, Jr.:

Yeah, this is actually the inside and outside, the dry and the wet. The only difference is that they're just going to rough up the exterior of it because it was painted not that long ago, and the paint has still adhered very well to the metal. So they're just going to rough up the exterior and paint it. They're going to totally blast the inside wet which is just protocol from DNR to do and totally blast the inside dry. As you can see on the photo the last time it was painted it just really didn't stick good. So we're going to have to do a total blast on that and repaint it. There are some upgrades that are required from our last inspection that we had to do. And it's just minor stuff with some venting and some other stuff with our SCADA system that we're just going to upgrade just to make sure that it's up to speed where it needs to be.

Nathan Thiel:

One thing you had asked about lettering. I had considered the thought process of utilizing the word mark that we had approved here. But after further evaluation we really feel that this is a vertical use anyway, and so the way the lettering is with Pleasant Prairie it would work best remaining the same, and it would be consistent with our brand anyway.

Michael Serpe:

I didn't know a gallon of Rustoleum was that expensive. I'd move approval of the contract to Lane Tank Company for \$330,750.

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Dave Klimisch:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion? How many years ago was that?

John Steinbrink, Jr.:

This was the late '90s. I'm sure Mike knows the exact year and date.

Mike Pollocoff:

I think it was '98.

John Steinbrink:

It was at the time the tower was lowered.

John Steinbrink, Jr.:

That's correct, it was lowered 40 feet at that time to keep in the same pressure zone. So it's due, it's been over 20 years now.

Mike Pollocoff:

Paint holds up better when it's taller because you can't see it going bad.

John Steinbrink, Jr.:

Yeah, we did plan on painting it last year, but then with the We Energies closing we ended up postponing the capital item until this year.

John Steinbrink:

I heard Tom Patrizzi was going to paint it but he's not allowed on a ladder anymore.

John Steinbrink, Jr.:

And I can't find a pole long enough.

John Steinbrink:

Further discussion? Hearing none, those in favor?

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Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

SERPE MOVED TO APPROVE THE AWARD OF CONTRACT FOR THE 2019 LADISH TOWER PAINTING PROJECT TO LANE TANK COMPANY, INC.; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

G. Disallowance of Claim of Kristin Pruyn as a result of injuries and damages which occurred on September 6, 2016.

John Steinbrink, Jr.:

Mr. President and members of the Board, I'm recommending a disallowance of claim as recommended by our insurance company from Kristin Pruyn as a result of injuries and damages which occurred on the date September 6, 2016. Just a quick update. We were doing some road construction. They were doing some upgrades to the tracks. We actually had 7th Avenue by the tracks on 91st area closed off, hard closed. She decided to ride her bike into the construction zone past the barricades. Got her tire stuck in a hole, flipped over and got hurt by the tracks. Insurance company did a thorough investigation and said it was 100 percent her fault, so considered that the Village would not be liable for any of the claim and did recommend a disallowance.

Michael Serpe:

Move to concur with the recommendation of the insurance company.

Kris Keckler:

Second.

John Steinbrink:

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

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

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SERPE MOVED TO DISALLOW THE CLAIM OF KRISTIN PRUYN AS A RESULT OF INJURIES AND DAMAGES WHICH OCCURRED ON SEPTEMBER 6, 2016; SECONDED BY KECKLER; MOTION CARRIED 5-0.

7. VILLAGE BOARD COMMENTS

8. 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 RELATING TO THE VILLAGE ADMINISTRATOR POSITION.

Kris Keckler:

So moved.

Mike Pollocoff:

Second.

John Steinbrink:

Motion and a second. Roll call vote has been requested.

Jane Snell:

Dave Klimisch?

Dave Klimisch:

Aye.

Mike Pollocoff:

Aye.

Kris Keckler:

Aye.

John Steinbrink:

Aye.

Michael Serpe:

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Aye.

John Steinbrink:

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

KECKLER MOVED 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 RELATING TO THE VILLAGE ADMINISTRATOR POSITION; SECONDED BY POLLOCOFF; ROLL CALL VOTE – KLIMISCH – YES; POLLOCOFF – YES; KECKLER – YES; STEINBRINK – YES; SERPE – YES; MOTION CARRIED 5-0.

9. RETURN TO OPEN SESSION AND ADJOURNMENT

SERPE MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY KECKLER; ROLL CALL VOTE – STEINBRINK – YES; KECKLER – YES; KUMORKIEWICZ – YES; KLIMISCH – YES; SERPE – YES; MOTION CARRIED 5-0 AND MEETING ADJOURNED.