

President Steven Jansen called the meeting to order at 6:00 PM with the Pledge of Allegiance.

Present were Trustees Lynaugh, Busha, G. Johnson, J. Johnson, Larsen and President Jansen. Trustee Wright was absent. Also present was Public Works Supervisor Stachowski, Police Chief Marschke, and Administrator Janiuk.

MINUTES- Trustee J. Johnson made a motion to accept the Minutes from the Board Meetings that took place on September 7, 2010. Seconded by Larsen. Motion carried by voice vote.

CORRESPONDANCE – Clerk Cole reported that 809 residents voted at the Primary Election on September 14, 2010. This total is more than double the previous record turnout for a Primary Election in the Village of Sturtevant.

COMMITTEE REPORTS

STORM WATER & WASTEWATER- Trustee Larsen went over Minutes taken at the Committee Meeting that was held on September 14, 2010. Committee decided not to discuss Business Sewer Rates since Ronald Reske wasn't present. Item will be removed from the Agenda at this time. Committee discussed Ordinance 2010-08, An Ordinance to Amend Section 21.11(2) (c) 3 of the Code of Ordinances for the Village of Sturtevant Relating to Sump Pump Discharges which will go in front of the Board for final reading and possible adoption. Minutes on file with Clerk.

PUBLIC SAFETY & HEALTH- At the September 14, 2004 Committee Meeting, the Committee discussed the Request by the Village of Mt. Pleasant for Contribution for Radio Related Improvements. Committee is still waiting to receive more information. Committee discussed the Countryside Humane Society Contract. A Resolution will go in front of the Board for approval. Committee decided to hold over discussion of Vandalism in Majestic Hills Trailer Parking / Possible Ordinance Amendment. Committee discussed Ordinance 2010-09, An Ordinance by the Public Safety and Health Committee to Amend Subsection 7.04(1) (b) of the Code of Ordinances of the Village of Sturtevant, Racine County, Wisconsin, to Regulate Parking on a Portion of Wisconsin Street which will go in front of the Board for final reading and possible adoption. Minutes on file with Clerk.

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee G. Johnson was not present at the September 14, 2010 Committee Meeting. Trustee Larsen presented minutes. Committee discussed 2011 Paving Projects. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

ECONOMIC DEVELOPMENT AND REDEVELOPMENT- Trustee G. Johnson not present at the September 14, 2010 Committee Meeting. Committee discussed the Racine County Economic Development Corporation / Request for Funds. A Resolution will go in front of the Board. Committee discussed the TID # 3 Projects - Sanitary Sewer Extension and Detention Ponds- Timeline, Hire Appraiser, Possible Assessments. Discussion will continue at a future Committee Meeting.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha presented Minutes from the Committee Meeting that was held on September 14, 2010. Committee discussed Fireman's Park Paving, Newsletter, and Make A Difference Day. Also discussed was Kirkorian Nature Preserve / Forestry Grant. A Resolution authorizing submitting an application for the grant will go in front of the Board for approval. Minutes on file with Clerk.

ADMINISTRATION, PERSONNAL, AND LEGAL- Trustee J. Johnson presented Minutes from the September 14, 2010 Committee Meeting. Committee discussed Agenda Items / Open Meetings Law. Minutes on file with Clerk.

FINANCE & BUDGETARY- Trustee Lynaugh went over items discussed at the September 14, 2010 Committee Meeting. Committee reviewed checks for payment. Committee discussed was the 2011 Budget / Staffing for 2011. This topic will be discussed throughout the budget process. Minutes on file with Clerk.

PLANNING COMMISSION- Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit to a Dogs & Cream, 10351 Washington Avenue, Suite H, pursuant to the terms and conditions that were passed out in regard to these applications which terms and conditions are to be incorporated into these minutes. Seconded by Trustee Larsen. Motion carried by voice vote.

Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit to Goodwill Commercial Services, 1630 Enterprise Drive, pursuant to the terms and conditions that were passed out in regard to these applications which terms and conditions are to be incorporated into these minutes. Seconded by Trustee Larsen. Motion carried by voice vote.

Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit to No Bull Auto Repair, 9725/9731 Durand Avenue, pursuant to the terms and conditions that were passed out in regard to these applications which terms and conditions are to be incorporated into these minutes. Seconded by Trustee Lynaugh. Motion carried by voice vote.

ENGINEER- Engineer Hastings not present. Report on file with Clerk.

REPORT FROM POLICE CHIEF –Chief Marschke mentioned that the Sturtevant / Mt. Pleasant Car Seat Project will take place at South Shore Fire Station #1 on Tuesday, September 28, 2010.

Chief Marschke informed the Board that he is still discussing the outdoor warning siren with Racine County Emergency Management and Racine Unified School District.

REPORT FROM PUBLIC WORKS DIRECTOR- Public Works Supervisor Stachowski presented his report. Report on file with Clerk.

Public Works Supervisor Stachowski informed the Board that sewer televising will occur in the areas that will be affected by the potential paving projects for 2011.

REPORT FROM ADMINISTRATOR- Administrator Janiuk mentioned that he would like to present the 2011 Budget on Tuesday, October 5, 2010.

Administrator Janiuk talked about the 2011 budget and the timeline for adoption. Administrator Janiuk suggested for the Board to set the date for the Public Hearing for the 2011 budget.

Administrator Janiuk mentioned possible meeting changes.

Administrator Janiuk talked about the public information meeting for the TID # 3 Southwest Area Sanitary Sewer Project.

Administrator Janiuk requested that the following items be placed on the September 28, 2010 Committee Meeting Agenda – August 2010 Financial Statement / Possible Budget Adjustments and Consolidated Dispatch.

OPEN FLOOR- Trustee Lynaugh made a motion to suspend the rules and open the floor for public comment. Seconded by J. Johnson. Motion carried by voice vote.

Barry Johnson, 3120 93rd Street , expressed concern over potholes on various village streets.

RESUME MEETING- Trustee Lynaugh made a motion to resume the meeting. Seconded by J. Johnson.
Motion carried by voice vote.

PAY BILLS- Trustee Lynaugh made a motion to pay all bills approved by the Finance Committee.
Seconded by J. Johnson.

ORDINANCE: Trustee J. Johnson made a motion for the final reading of Ordinance 2010-08 by title only.
Seconded by Larsen. Motion carried by voice vote.

*ORDINANCE NO. 2010-08
AN ORDINANCE TO AMEND SECTION 21.11 (2) (C) 3 OF THE CODE OF ORDINANCES FOR
THE VILLAGE OF STURTEVANT RELATING TO SUMP PUMP DISCHARGES*

Trustee J. Johnson moved for the adoption of Ordinance 2010-08. Seconded by Larsen. Motion carried by voice vote.

ROLL CALL: G. Johnson nay, Busha aye, Lynaugh aye, J. Johnson nay, Larsen aye, Jansen aye.
Motion carried. 4-2 vote.

ORDINANCE: Trustee J. Johnson made a motion for the final reading of Ordinance 2010-09 by title only.
Seconded by Larsen. Motion carried by voice vote.

*ORDINANCE NO. 2010-09
AN ORDINANCE BY THE PUBLIC SAFETY AND HEALTH COMMITTEE TO AMEND SUBSECTION
7.04(1)(b) OF THE CODE OF ORDINANCES OF THE VILLAGE OF STURTEVANT, RACINE COUNTY,
WISCONSIN, TO REGULATE PARKING ON A PORTION OF WISCONSIN STREET*

Trustee J. Johnson moved for the adoption of Ordinance 2010-09. Seconded by Larsen. Motion carried by voice vote.

RESOLUTIONS: Trustee J. Johnson made a motion for the reading of Resolutions 2010-67, 2010-68, 2010-69 and 2010-70 by title only. Seconded by Busha. Motion carried by voice vote.

*RESOLUTION NO. 2010-67
RESOLUTION BY THE PUBLIC SAFETY AND HEALTH COMMITTEE AUTHORIZING ENTERING INTO AN
AGREEMENT WITH THE COUNTRYSIDE HUMANE SOCIETY IN REGARD TO ANIMAL CONTROL
SERVICES FOR 2011 AND 2012*

*RESOLUTION NO. 2010-68
RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE AUTHORIZING
2011 PAVING PROJECTS BY THE VILLAGE OF STURTEVANT*

*RESOLUTION NO. 2010-69
RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE
AUTHORIZING ENTERING INTO A THREE YEAR AGREEMENT WITH THE RACINE COUNTY ECONOMIC
DEVELOPMENT CORPORATION IN REGARD TO ECONOMIC DEVELOPMENT SERVICES*

*RESOLUTION NO. 2010-70
RESOLUTION BY THE COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL COMMITTEE
AUTHORIZING THE APPLICATION FOR AN URBAN FORESTRY GRANT PROGRAM FOR STURTEVANT,
WISCONSIN*

Trustee J. Johnson moved for the adoption of Resolutions 2010-67, 2010-68, 2010-69, and 2010-70.
Seconded by Lynaugh. Motion carried by voice vote.

OLD BUSINESS- None.

NEW BUSINESS- Clerk Cole mentioned the possibility of moving the first Board Meeting in November.

Clerk Cole inquired about Trustee attendance at the Public Input Meeting regarding the TID # 3 Southwest Area Sanitary Sewer Project on Wednesday, September 29, 2010. It was determined that the meeting should be posted as a Storm & Wastewater Committee Meeting.

Trustee Larsen made a motion to move the Tuesday, November 2, 2010 Board Meeting to Wednesday, November 3, 2010. Seconded by G. Johnson. Motion carried by voice vote.

Trustee Larsen made a motion to schedule the Public Hearing for the 2011 Budget on Wednesday, November 3, 2010. Seconded by G. Johnson. Motion carried by voice vote.

Trustee Larsen mentioned the he would like to discuss the Rain Garden Exemption at the next Committee Meeting.

Trustee Busha mentioned the he would like to discuss the Kirkorian Nature Preserve / Forestry Grant; Make A Difference Day, and Trick-or-Treat at the next Committee Meeting.

ADJOURN- Trustee J. Johnson made a motion to adjourn at 6:30 PM. Seconded by G. Johnson. Motion carried by voice vote.

Drafted this 21st day of September, 2010
Approved this 5th day on October, 2010

Mary A. Cole, Clerk/Deputy Treasurer

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT-DOGS AND CREAM LLC

9-20-10

THAT THE REQUEST BY WHATS FOR DOGS AND CREAM LLC SEEKING A CONDITIONAL USE PERMIT TO OPERATE A FAST CASUAL RESTURANT AT 10351 WASHINGTON AVE, SUITE H BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans and documents presented to the Plan Commission on September 9, 2010 are incorporated herein and the approval is subject to the conditions set forth therein.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department. Sturtevant is currently using building inspectors from the Village of Mount Pleasant.
- c. That the maximum hours of operation be from 10:00 a.m. to 10:00 p.m. seven days per week and no other operations outside of the maximum hours of operation.
- d. That all aspects of the operation of this business be conducted indoors including vending machines, product displays or sales.
- e. That Dogs and Cream LLC., itself, or through a contract with the landlord shall insure that the following:
 1. All trash and recyclables be stored in closed containers and screened from view. All garbage receptacles shall be commercial or industrial grade with top covers and spring-loaded door.
 2. That all parking areas be paved and striped.
 3. That all yard areas, landscaping, buildings and grounds be maintained on a daily basis.
 4. That dumpster pick up be prohibited between the hours of 10:00 p.m. and 7:00 a.m., Monday through Saturday, with no pick up on Sunday.

5. That the outside storage of junked vehicles, semi trailers, recreational vehicles, vehicle parts, materials and equipment be prohibited.

Provided that said obligations shall be joint obligations with any other tenants in the building and shall continue until such time that the conditional use permit of the owner and landlord can be modified to include said obligations in the owner/landlord's conditional use permit.

- f. That all codes and ordinances be complied with and required permits acquired.
- g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Village Board.
- h. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- i. That only two (2) sign(s) which shall be attached to the building are permitted. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Village Administrator.
- j. That is permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
- k. That Dogs and Cream LLC shall reimburse the Village for all of the Village's out of pocket expenses related to the review and approval process through the planning commission. Dogs and Cream LLC agrees that no occupancy permits shall be issued until said payment is made to the Village.
- l. That this conditional use permit is contingent on Dogs and Cream LLC making contact with the Racine Water Utility and paying any required REC charges imposed by the Racine Water Utility.

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT-GOODWILL COMMERCIAL SERVICES
INC.

9-20-10

THAT THE REQUEST BY GOODWILL COMMERCIAL SERVICES INC. SEEKING A CONDITIONAL USE PERMIT TO OPERATE A LIGHT ASSEMBLY AND PACKAGING OPERATION AT 1630 ENTERPRISE DRIVE BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the documents presented to the Planning Commission on September 9, 2010 are incorporated herein by reference.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department. Sturtevant is currently using building inspectors from the Village of Mt. Pleasant.
- c. That the maximum hours of operation be 24 hours per day seven days per week.
- d. That all aspects of the operation of this business be conducted indoors including vending machines, product displays or sales. That Goodwill Commercial Services Inc. shall take steps, including signage, to discourage any drop off of items around the exterior of the building. To the extent that items are dropped off at this site, said items shall be removed within 24 hours.
- e. That Goodwill Commercial Services Inc., itself, or through a contract with the landlord shall insure that the following:
 1. All trash and recyclables be stored in closed containers and screened from view. All garbage receptacles shall be commercial or industrial grade with top covers and spring-loaded door.
 2. That all parking areas be paved and striped.
 3. That all yard areas, landscaping, buildings and grounds be maintained on a daily basis.

4. That dumpster pick up be prohibited between the hours of 10:00 p.m. and 7:00 a.m., Monday through Saturday, with no pick up on Sunday.
 5. That the outside storage of junked vehicles, semi trailers, recreational vehicles, vehicle parts, materials and equipment be prohibited.
- f. That all codes and ordinances be complied with and required permits acquired.
 - g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Village Board.
 - h. That this permit is subject to Plan Commission review for compliance with the listed conditions.
 - i. That the existing sign display monument can be used with a new face sign. That all signs shall be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Village Administrator.
 - j. That this permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
 - k. That Goodwill Commercial Services Inc. shall reimburse the Village for the Village's out of pocket expenses related to the review and approval process through the planning commission. Commercial Services Inc. agrees that no occupancy permits shall be issued until said payment is made to the Village.
 - l. That this conditional use permit is contingent on Goodwill Commercial Services Inc. making contact with the Racine Water Utility and paying any required REC charges imposed by the Racine Water Utility.

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT- KEVIN CANTWELL D/B/A NO BULL
AUTO REPAIR

9-20-10

THAT THE REQUEST BY KEVIN CANTWELL D/B/A NO BULL AUTO REPAIR SEEKING A CONDITIONAL USE PERMIT TO OPERATE A GENERAL AUTOMOTIVE REPAIR SHOP AT 9725/9731 DURAND AVE, BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the approval be subject to the material presented to the Plan Commission on May 13, 2010 and on September 9, 2010 and subject to the conditions contained herein.
 1. Plans are approved contingent upon the owner/applicant satisfying staff review comments and providing additional information per the review letter from the Village Engineer dated September 9, 2010, and any subsequent review letters.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department. The Village of Sturtevant is presently using building inspectors from the Village of Mount Pleasant.
- c. That the maximum hours of operation be from 7:00 a.m. to 9:00 p.m. seven days per week and no other operations outside of the maximum hours of operation.
- d. That all aspects of the operation of this business be conducted indoors. That this approval is for a automotive repair shop only and the sale of automobiles is not permitted at his site.
- e. That Kevin Cantwell d/b/a No Bull Auto Repair shall insure that the following:
 1. All trash and recyclables be placed and stored in closed containers provided by the landlord and screened from view. All garbage receptacles shall be commercial or industrial grade with top covers and spring-loaded door.

2. That all yard areas, landscaping, buildings and grounds be maintained on a daily basis.
 3. That dumpster pick up be prohibited between the hours of 10:00 p.m. and 7:00 a.m., Monday through Saturday, with no pick up on Sunday.
- f. That all codes and ordinances be complied with and required permits acquired.
 - g. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Village Board.
 - h. That this permit is subject to Plan Commission review for compliance with the listed conditions.
 - i. That parking lot shall have painted pavement marking and all parking spaces shall be laid out and painted.
 - j. That the outside storage of junked vehicles, semi trailers, recreational vehicles, vehicle parts, materials and equipment be prohibited.
 - k. That one free standing sign shall be permitted contingent on the Village Engineer approving the exact location and the payment of the appropriate sign permit fee. That signage on the building is permitted. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Village Administrator. That no signs with moving messages or electronic displays are permitted without further Planning Commission review and approval.
 - l. That Kevin Cantwell d/b/a No Bull Auto Repair shall reimburse the Village for all of the Village's out of pocket expenses related to the review and approval process through the planning commission. Kevin Cantwell d/b/a No Bull Auto Repair agrees that no occupancy permits shall be issued until said payment is made to the Village.

m. That this conditional use permit is contingent on Kevin Cantwell d/b/a No Bull Auto Repair making contact with the Racine Water Utility and paying any required REC charges imposed by the Racine Water Utility.