

Village of Sturtevant  
Proceedings from the Regular Board Meeting March 17, 2009

President Steven Jansen called the meeting to order at 6:00 PM with the Pledge of Allegiance. Present were Trustees Wright, G. Johnson, Klinkosh, Busha, Lynaugh, J. Johnson, and President Jansen. Also present was Public Works Supervisor Stachowski, Police Chief Marschke, and Administrator Janiuk.

MINUTES- Trustee Wright made a motion to accept the Minutes from the Board Meeting that took place on March 3, 2009. Seconded by J. Johnson. Motion carried by voice vote.

CORRESPONDANCE – Clerk Hanstad informed the Board that Gene Halmo has filed a Summons and Complaint with the Racine County Circuit Court. Mr. Halmo was involved in an accident with the Village of Sturtevant street sweeper on June 10, 2008. Mr. Halmo is requesting a payment of \$2,200 for damages to his vehicle. A Representative for the Village of Sturtevant must appear in Court at 9:30 am on March 26, 2009 and file a written answer to the plaintiff's Attorney by March 26, 2009. Copy of Complaint on file with Clerk.

Clerk Hanstad mentioned that Robert Wirch, State Senator for the Twenty-Second District, has sent a response to Resolution 2009-19, A Resolution by the Economic Development and Redevelopment Committee Opposing the Creation of a Permanent RTA and Opposing the Recommendations of the RTA. Letter on file with Clerk.

#### COMMITTEE REPORTS

STORM WATER & WASTEWATER- Trustee Wright reviewed Minutes taken at the March 10, 2009 Committee Meeting. Committee discussed Ordinance 2009-02, An Ordinance by the Storm Water and Wastewater Committee to Amend Section 21.11 (1)(a) and Section 21.11 (2)(c) 1. of the Code of Ordinances for the Village of Sturtevant Relating to Downspout Connections and Storm Drain Assessments. Ordinance 2009-02 will go in front of the Board this evening for first and second reading. Minutes on file with Clerk.

PUBLIC SAFETY & HEALTH- Trustee Klinkosh went over items discussed at the Committee Meeting that took place on March 10, 2009. Administrator Janiuk gave an update to the Committee on the Fire Consolidation Status / Power Assisted Stretchers. Committee discussed Ordinance 2009-03, An Ordinance by the Public Safety and Health Committee to Amend Section 12.17 of the Code of Ordinances for the Village of Sturtevant, Racine County, Wisconsin, Relating to Cigarette Selling Licenses. Ordinance 2009-03 will go in front of the Board for first and second reading.

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee G. Johnson was not present at the March 10, 2009 Committee Meeting. Trustee Wright went over minutes. Committee discussed Special Assessments for the Broadway Drive Reconstruction Project / Chicory Creek Assessments. Also discussed was the 2009 Bond Issue / Project and Equipment. These items remain at Committee for further discussion. Minutes on file with Clerk.

ECONOMIC DEVELOPMENT AND REDEVELOPMENT- Trustee G. Johnson not present at the March 10, 2009 Committee Meeting. Trustee Lynaugh reviewed items discussed at the Committee Meeting. Committee discussed the Possible Construction of East Access off of Wisconsin Street to the Sturtevant Depot. The Committee would like to know the cost before considering the project. This topic will be discussed at the next Committee Meeting. Also discussed was the 2010 Census. There was no update on the Cobble Court Status.

ADMINISTRATION, PERSONNAL, AND LEGAL-Trustee J. Johnson reviewed minutes from the Committee Meeting that took place on March 10, 2009. Committee discussed the Teamster Health Insurance Proposal. Minutes on file with Clerk.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha presented Minutes from the Committee Meeting that was held on March 10, 2009. The Committee discussed the July 3<sup>rd</sup> Fireworks Event. Discussion of Resolution 2009-06, A Resolution by the Community Events, Beautification, and Cultural Committee Authorizing Entering into an Agreement with Bartolotta Fireworks Company, Inc. in the Amount of \$13,500 for the 2009 Fireworks, will stay at Committee. Committee discussed the Newsletter and Free Tree Giveaway. Also discussed was the Easter Egg Hunt and Iron Horse Run. The Easter Egg Hunt is scheduled to take place on April 11, 2009. The Committee agreed to August 22, 2009 for the 3<sup>rd</sup> Annual Iron Horse Run. Committee decided to hold over discussion of the Racine Belles Tournament. Minutes on file with Clerk.

Trustee Busha made a motion to approve the 3<sup>rd</sup> Annual Iron Horse Run hosted by Omni Orthopedic scheduled for Saturday 22, 2009. Seconded by G. Johnson. Motion carried by voice vote.

Chief Marschke indicated that the Sturtevant Police Department would be present at the race.

FINANCE & BUDGETARY- Trustee Lynaugh presented minutes from the March 10, 2009 Committee Meeting. Committee reviewed checks for payment. Committee decided to hold over discussion of the Village Financial Update / Possible Layoffs & Other Cost Savings in 2009 and Land for the Railroad Museum. Minutes on file with Clerk.

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

REPORT FROM POLICE CHIEF –Chief Marschke informed the Board that the Sturtevant Police Department has completed 3 different speed waves. Chief Marschke mentioned that fifty citations were issued during the three separate one hour speed waves.

Chief Marschke mentioned that at the next Committee Meeting he would like to talk about the possible eligibility for the Village of Sturtevant to receive federal grant monies to pay for a Police Officer.

REPORT FROM PUBLIC WORKS DIRECTOR- Public Works Supervisor Stachowski informed the Board that the SCADA System, which monitors flow rates in the Village of Sturtevant, has had technical difficulties over the past week.

Public Works Supervisor Stachowski mentioned that the Department of Public Works will be conducting annual sewer inspections. The main focus will be on the southeast area of the village.

Public Works Supervisor Stachowski informed the Board that the Public Works staff has started street sweeping the village to remove all the sand and debris from the winter months.

Public Works Supervisor Stachowski mentioned that the Village of Sturtevant will be receiving 100 free trees that will be given away to residents the week of April 6-9, 2009. A pamphlet on how to plant bare root trees will be available.

Public Works Supervisor Stachowski talked about the construction at the Depot. The electrician is preparing for the elevator enclosure.

Public Works Supervisor Stachowski informed the Board that, on March 19, 2009, he will be meeting with all the contractors that were involved in the construction of the Fireman's Park Pavilion.

Public Works Supervisor Stachowski mentioned the Department of Public Works staff will begin preparing the baseball fields for the 2009 season within the next few weeks.

Public Works Supervisor Stachowski informed the Board that there is a bill in the payables for the annual fire protection fee for the inspection of the fire extinguishers at Village Hall, Police Department, and DPW Garage.

REPORT FROM ADMINISTRATOR- Administrator Janiuk informed the Board that he attended a meeting of the Advisory Committee on Transportation System Planning and Programming for Racine County. A presentation discussing stimulus funds was given by the Department of Transportation.

Administrator Janiuk mentioned that at he would like to discuss the Financial Statement for February 2009 as well as the 2009 Bond Issue at the next Committee Meeting.

Administrator Janiuk informed the Board that the Celeste Family Trust has made an offer of \$9,300 to purchase the property owed by the Village of Sturtevant that lies east of the Hiawatha. Administrator Janiuk mentioned that he would like the have this as a topic of discussion on the next Committee Meeting Agenda.

OPEN FLOOR- Trustee J. Johnson made a motion to suspend the rules to go into public comment. Seconded by Klinkosh. Motion carried by voice vote.

Bob Duthie, 9100 Durand Avenue, expressed concern over the storage of U-Haul vehicles by Hugasian Motors.

Hank Johnson, 9224 Durand Avenue, talked about bushes on the corners and over sidewalks. Mr. Hank Johnson talked about weed overgrowth, during the summer months, at the Old Depot.

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

PLANNING COMMISSION- Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit to Buzzer Bids, Inc., 2933 105<sup>th</sup> Street, Suite C, Sturtevant Soccer LLC., 10116 Stellar Avenue, A M D Petroleum, 9001 Durand Avenue, and Hugasian Motors, 9000 Durand Avenue, pursuant to the terms and conditions that were passed out in regard to this applicant which terms and conditions are to be incorporated into these minutes. Seconded by Trustee Klinkosh.

Trustee J. Johnson made a motion to amend section c. of the Conditional Use Permit for Hugasian Motors to read "That the maximum hours of operation (open for business) shall be from 8:00 a.m. to 10:00 p.m. Mon- Sat. no other public hours of operation outside of the maximum hours of operation". Seconded by G. Johnson. Motion carried by voice vote.

Motion to grant Conditional Use Permits to Buzzer Bids, Inc., Sturtevant Soccer LLC., A M D Petroleum, and Hugasian Motors carried by voice vote

PAY BILLS – Trustee Lynaugh made a motion to pay all bills approved by the Finance Committee. Seconded by J. Johnson. Motion carried by voice vote.

ORDINANCE: Trustee J. Johnson made a motion for the first reading of Ordinance 2009-02 to read by title only. Seconded by Klinkosh. Motion carried by voice vote.

*ORDINANCE NO. 2009-02  
AN ORDINANCE BY THE STORM WATER AND WASTEWATER COMMITTEE TO AMEND  
SECTION 21.11(1) (A) AND SECTION 21.11(2) (C) 1. OF THE CODE OF ORDINANCES FOR  
THE VILLAGE OF STURTEVANT RELATING TO DOWNSPOUT CONNECTIONS AND STORM  
DRAIN ASSESSMENTS*

Trustee J. Johnson made a motion to suspend the rules for the second reading of Ordinance 2009-02 by title only. Seconded by Klinkosh.

ROLL CALL: Klinkosh aye, Lynaugh aye, Busha aye, G. Johnson aye, Wright aye, J. Johnson aye, Jansen aye. Motion carried 7-0 vote.

*ORDINANCE NO. 2009-02*

*AN ORDINANCE BY THE STORM WATER AND WASTEWATER COMMITTEE TO AMEND SECTION 21.11(1) (A) AND SECTION 21.11(2) (C) 1. OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT RELATING TO DOWNSPOUT CONNECTIONS AND STORM DRAIN ASSESSMENTS*

Ordinance 2009-02 referred back to the Storm Water & Wastewater Committee.

ORDINANCE: Trustee J. Johnson made a motion for the first reading of Ordinance 2009-03 to read by title only. Seconded by Klinkosh. Motion carried by voice vote.

*ORDINANCE NO. 2009-03*

*AN ORDINANCE BY THE PUBLIC SAFETY AND HEALTH COMMITTEE TO AMEND SECTION 12.17 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT, RACINE COUNTY, WISCONSIN, RELATING TO CIGARETTE SELLING LICENSES*

Trustee J. Johnson made a motion to suspend the rules for the second reading of Ordinance 2009-03 by title only. Seconded by Klinkosh.

ROLL CALL: G. Johnson aye, Busha aye, Lynaugh aye, Wright aye, J. Johnson aye, Klinkosh aye, Jansen aye. Motion carried 7-0 vote.

*ORDINANCE NO. 2009-03*

*AN ORDINANCE BY THE PUBLIC SAFETY AND HEALTH COMMITTEE TO AMEND SECTION 12.17 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT, RACINE COUNTY, WISCONSIN, RELATING TO CIGARETTE SELLING LICENSES*

Ordinance 2009-03 referred back to the Public Safety & Health Committee.

OLD BUSINESS- Trustee Lynaugh mentioned that CP Rail has offered to give the Caledonia Historical Society \$18,000 to move the old Sturtevant Depot. The Caledonia Historical Society is requesting for the Village of Sturtevant to waive any building permit fees related to the movement of the old Depot.

NEW BUSINESS- None

ADJOURN- Trustee Klinkosh made a motion to adjourn at 6:50 PM to adjourn to Wednesday, April 8, 2009. Seconded by G. Johnson. Motion carried by voice vote.

Drafted this 17<sup>th</sup> day of March, 2009  
Approved this 8<sup>th</sup> day of April, 2009

---

Mary Hanstad, Clerk/Deputy Treasurer

**TERMS AND CONDITIONS/ CONDITIONAL USE**  
**PERMIT- BUZZER BIDZ, INC.**

3-17-09

THAT THE REQUEST BY BUZZER BIDZ INC. SEEKING A CONDITIONAL USE PERMIT TO OPERATE AN ONLINE INTERNET AUCTION WEBSITE OFFICE AT 2933 105<sup>TH</sup> ST., SUITE C BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans and documentation presented to the Plan Commission on March 12, 2009 be approved subject to the conditions contained therein and subject to the conditions contained herein. The use would be confined to a 20ft by 20 ft room which would be occupied for no more than 8 hours each day. There would be no remodeling. Buzzer Bidz would have access to existing restrooms. There would be no designated parking
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department.
- c. That all aspects of the operation of this business be conducted indoors including vending machines, product displays or sales.
- d. That the outside storage of junked vehicles, semi trailers, recreational vehicles, vehicle parts, materials and equipment be prohibited in any dedicated parking slots for Buzzer Bidz Inc. if such parking slots are provided in the future.
- e. That Buzzer Bidz Inc., through its landlord shall provide that:
  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 yard areas, landscaping, buildings and grounds be maintained on a daily basis.

- 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 Buzzer Bidz Inc shall not have a free standing sign but anticipates a window sign of approximately 2 ft by 1 ft. All signs shall be required to be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Building Inspector.
- j. That is permit shall terminate unless substantial work is completed within 6 months of the granting of this permit.
- k. That Buzzer Bidz Inc. 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. Buzzer Bidz Inc. agrees that no occupancy permits shall be issued until said payment is made to the Village.

**TERMS AND CONDITIONS/ CONDITIONAL USE**  
**PERMIT-STURTEVANT SOCCER LLC**

3-17-09

THAT THE REQUEST BY STURTEVANT SOCCER LLC SEEKING A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE AN INDOOR SOCCER COMPLEX AND BANQUET HALL AT 10116 STELLAR AVE. BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans including the site plan and final plan for the exterior presented to the Plan Commission on March 12, 2009 and marked "Plan \_\_\_\_" be approved subject to the conditions contained therein and subject to the conditions contained herein.
- b. That the actual site plan and final plan for the exterior of the building which was presented to the Planning Commission dated August 27, 2008 shall be incorporated into these terms and conditions.
- c. That all appropriate building and occupancy permits be requested from the Building Inspection Department.
- d. That Sturtevant Soccer LLC shall insure that:
  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 landscaping, buildings and grounds be maintained on a daily basis.
  4. That the outside storage of junked vehicles, semi trailers, recreational vehicles, vehicle parts, materials and equipment be prohibited.

- e. That all codes and ordinances be complied with and required permits acquired.
- f. 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.
- g. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- h. That the maximum hours of operation shall be from 6:00 a.m. to 1:30 a.m. daily.
- i. That signage shall be addressed at a later date through the Planning commission. All signs shall be required to be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Building Inspector.
- j. That is permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
- k. That Sturtevant Soccer 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. Sturtevant Soccer LLC agree that no occupancy permits shall be issued until said payment is made to the Village.

TERMS AND CONDITIONS/ CONDITIONAL USE  
PERMIT- AMD PETROLEUM

3-17-09

THAT THE REQUEST BY AMD PETROLEUM SEEKING A CHANGE OF OWNERSHIP TO CONTINUE A CONDITIONAL USE PERMIT TO OPERATE A GAS STATION AND CONVENIENCE STORE AT 9001 DURAND AVE, BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on March 12, 2009 and marked "Plan \_\_\_\_" be approved subject to the conditions contained herein. That there shall be no u-haul or moving truck/trailer rental or garage/automotive repair work without an amendment to this conditional use permit. No residential use shall be permitted and no living quarters shall be allowed on the site.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department.
- c. That the maximum hours of operation be from 5:00 a.m. through midnight daily 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 AMD Petroleum 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 shall be used with a new sign face. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Building Inspector.
  - j. That AMD Petroleum 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. AMD Petroleum agree that no occupancy permits shall be issued until said payment is made to the Village.

**TERMS AND CODITIONS/ CONDITIONAL USE PERMIT FOR  
BOB AND JACK HUGSIAN D/B/A HUGASIAN MOTORS.**

3-17-09

THAT THE REQUEST BY BOB AND JACK HUGSIAN D/B/A - HUGASIAN MOTORS SEEKING A CONDITIONAL USE PERMIT TO OPERATE A TRUCK AND TRAILER RENTAL BUSINESS IN CONJUNCTION WITH AN EXISTING USED CAR DEALERSHIP AT 9000 DURAND AVE. BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on March 12, 2009 and marked "Plan \_\_\_\_" be approved subject to the conditions contained herein. That operations shall include the existing used car dealership and automotive mechanical and detail work. Additional uses shall include the rental of truck and trailers. The total number of rental tucks and trailers shall not exceed 6 on the lot at any one time. Cars being worked on shall be stored in the area between the two buildings or in the area to the west of the west building.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department.
- c. That the maximum hours of operation (open for business) shall be from 8:00 a.m. to 10:00 p.m. Mon- Sat. no other public hours of operation outside of the maximum hours of operation.
- d. That 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.
- e. That all parking areas be paved and striped.
- f. That all yard areas, landscaping, buildings and grounds be maintained on a daily basis.
- g. That all codes and ordinances be complied with and required permits acquired.

- h. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- j. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Building Inspector.
- k. 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.
- l. That the outside storage of junked vehicles, semi trailers, recreational vehicles, vehicle parts, materials and equipment be prohibited.
- m. Outdoor storage of vehicles, other than vehicles for sale, for more than 30 days is prohibited.
- n. That vehicles shall not overhang into the sidewalk areas or block driveways.
- o. That is permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
- p. That Bob and Jack Hugasian d/b/a Hugasian Motors 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. Bob and Jack Hugasian d/b/a Hugasian Motors agree that no occupancy permits shall be issued until said payment is made to the Village.