

Village of Sturtevant
Proceedings from the Regular Board Meeting April 19, 2011

Clerk Cole swore in Steven D. Jansen as Village President of the Village of Sturtevant.

Clerk Cole swore in Chris Larsen, Chris Wright, and John Johnson as Village Trustees for the Village of Sturtevant.

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

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

JOINT MEETING OF THE VILLAGE OF STURTEVANT BOARD OF TRUSTEES AND COMMUNITY DEVELOPMENT AUTHORITY

Present were Trustees G. Johnson, Larsen, Busha, Wright, Lynaugh, J. Johnson, and President Jansen. Also present was Administrator Janiuk, Village Engineer Hastings, Village Attorney Tim Pruitt, and Appraiser James Machnik.

Trustee J. Johnson made a motion to go into closed session pursuant to Wisconsin Statutes Sec. 19.85(1)(e)* for the purpose of reviewing status of negotiations for easements necessary for the TID#3 Southwest Area Sanitary Sewer Extension Project and the TID #3 Drainage Project, and recommendations related to same. Seconded by G. Johnson.

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

*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Trustee Wright made a motion to return to open session. Seconded by G. Johnson.

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

MOTION- Trustee J. Johnson made motion that the Village Administrator be authorized to make formal offers to the property owners, as presented in the "LOU/Agreed Amount" column of that spreadsheet last revised April 11, 2011 and entitled "Easement Acquisition Costs: TID 3 SW Area Sanitary Sewer and Detention Pond Projects," and the Village President and Clerk be authorized to execute the necessary paperwork to (1) close on those acquisitions where the Village and property owners have agreed on a price or (2) make Jurisdictional Offers/Award of Damages where the parties are unable to agree. Seconded by Larsen.

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

MINUTES- Trustee J. Johnson made a motion to accept the Minutes from the Board Meeting that took place on March 29, 2011. Seconded by Wright. Motion carried by voice vote.

CORRESPONDANCE – Clerk Cole presented a communication from the Racine Water Utility regarding modifications to the sewer service agreement to clarify conveyance capacity allocations. Communication on file with Clerk.

COMMITTEE REPORTS

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee Wright recorded Minutes at the April 12, 2011 Committee Meeting. Committee had a Review of Bids for the 2011 Paving Program / Possible Extension of the 92nd Street Reconstruction. A Resolution awarding the bid will go in front of the Board for approval. Minutes on file with Clerk.

STORM WATER & WASTEWATER- Trustee Larsen went over Minutes taken at the Committee Meeting that was held on April 12, 2011. Committee had a Review of Bids for the Sewer Rehabilitation Program. A Resolution awarding the bid will go in front of the Board for approval. Committee discussed the Release of Drainage Easement in the TID. A Resolution authorizing the release will go to the Board for approval. Committee discussed the Wastewater Advisory Group Report and Sewer Capacity Letter. Also discussed was the Sewer Rates. Discussion will continue at the next Committee Meeting. Minutes on file with Clerk.

ADMINISTRATION, PERSONNAL, AND LEGAL- Trustee J. Johnson recorded Minutes at the Committee Meeting that took place on April 12, 2011. Committee discussed the Zoning Ordinances Revisions and Height of Wood Burning Stoves in Accessory Buildings. Discussion will continue at the next Committee Meeting. Committee discussed the Operators License for Marci Krieger (Fountain Banquet Hall). The Committee agreed to forward the request to the Board for approval. Committee had a Discussion of Rules for Granting "Class B" Reserve Liquor Licenses. Minutes on file with Clerk.

Trustee J. Johnson made a motion to grant an Operators License to Marci Krieger (Fountain Banquet Hall). Seconded by Lynaugh. Motion carried by voice vote.

FINANCE & BUDGETARY- Trustee Lynaugh mentioned that the Committee reviewed checks for payment at the Committee Meeting on April 12, 2011.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha recorded Minutes at the Committee Meeting that was held on April 12, 2011. Committee discussed the Fireworks 2011, Community Garden, Forestry Grant, Fireman's Park Electrical Work, and Playground Equipment –East Park. Minutes on file with Clerk.

PUBLIC SAFETY & HEALTH- Trustee Wright recorded Minutes at the Committee Meeting that took place on April 12, 2011. Committee was given a presentation by Fire Chief Bouma of the South Shore Fire Department regarding Fire Capital Purchase Requests. Discussion will continue at the next Committee Meeting. Committee was given a presentation by Margaret Gesner of the Central Racine County Health Department regarding Possible Amendment to the Environmental Health Ordinance. Discussion will continue at the next Committee Meeting. Also discussed was Trailer Parking / Possible Ordinance Amendment. Minutes on file with Clerk.

Trustee Wright presented the Monthly Police Department Report for March 2011. Report on file with Clerk.

ECONOMIC DEVELOPMENT AND REDEVELOPMENT- Trustee Larsen recorded Minutes at the Committee Meeting that took place on April 12, 2011. Committee discussed TID Project Appraisals / Possible Meeting with the Community Development Authority (CDA). Committee heard Comments from Joe Mrazek Regarding Storm Water Drainage on His Property Located on Highway H. 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 CCI Coakley Tech, 1651 Renaissance Blvd, 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 J. Johnson.

ROLL CALL: G. Johnson aye, J. Johnson aye, Busha aye, Larsen aye, Wright aye, Lynaugh abstain, Jansen aye. Motion carried. 6-0 vote.

Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit to WHAM, 97116 Hallock 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 J. Johnson. Motion carried by voice vote.

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

REPORT FROM POLICE CHIEF – Chief Marschke mentioned that Benjamin Mieloszyk, the new Part-Time Police Officer, has begun his training at the Sturtevant Police Department.

Chief Marschke informed the Board that the Sturtevant Police Department received two bids for the old squad car. The winning bid was for \$2,225.

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

Public Works Supervisor Stachowski mentioned that he has completed the job description for the DPW Seasonal Laborer.

REPORT FROM ADMINISTRATOR- Administrator Janiuk requested that the following items be placed on the April 26, 2011 Committee Meeting Agenda –Sewer Rate Options / Possible Sewer Rate Increase, Modification of Sewer Service Agreement / Capacity Allocations, March 2011 Financial Statement & Report, and 2012 Budget; Discussion of State Budget Proposals on Sturtevant

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

Gary Bublitz, 3508 Buckingham Road, mentioned that he is a member of the Sturtevant Fireworks Committee. Mr. Bublitz mentioned the letter he wrote to the editor of the Journal Times regarding donations for the Sturtevant Fireworks. Mr. Bublitz expressed concern over not receiving enough donations to cover the cost of the fireworks. Mr. Bublitz requested for the Committee to discuss funding options for the fireworks.

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

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

RESOLUTIONS: Trustee J. Johnson made a motion for the reading of Resolutions 2011-28, 2011-29, and 2011-30 by title only. Seconded by Busha. Motion carried by voice vote.

*RESOLUTION NO. 2011-28
RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE
AUTHORIZING AWARDING A CONTRACT FOR THE 2011 PAVING PROGRAM- CHANDLER AVE., 93RD
STREET, AND 92ND STREET*

*RESOLUTION 2011-29
RESOLUTION BY THE STORM WATER AND WASTEWATER COMMITTEE AUTHORIZING
AWARDING A CONTRACT FOR THE 2011 SEWER REHABILITATION PROJECT*

RESOLUTION 2011-30
RESOLUTION BY THE STORM AND WASTEWATER COMMITTEE AUTHORIZING THE RELEASE
OF A RECORDED EASEMENT

Trustee J. Johnson moved for the adoption of Resolutions 2011-28, 2011-29, and 2011-30. Seconded by Busha. Motion carried by voice vote.

OLD BUSINESS- None.

NEW BUSINESS- Trustee J. Johnson made a motion to confirm Report 2011-02, Report by the Village President Appointing 2011-2012 Committees, and Report 2011-03, Report by the Village President Appointing a Member to the Sturtevant Community Development Authority. Seconded by Busha. Motion carried by voice vote.

Trustee Lynaugh made a motion to appoint Trustee Gary Johnson to a one year term beginning April 20, 2011 and ending April 19, 2012. Seconded by J. Johnson. Motion carried by voice vote.

Trustee Larsen made a motion to appoint Trustee Daryl Lynaugh to the Board of Review, and to appoint Trustee John Johnson as an alternate member of the Board of Review. Seconded by G. Johnson. Motion carried by voice vote.

Trustee Busha mentioned that she will be absent from the Board Meeting on May 3, 2011.

CLOSED SESSION: Trustee J. Johnson made a motion to go into closed session pursuant to Wisconsin Statutes Sec.19.85 (1) (e) and (g) to discuss possible settlement of litigation. Seconded by Lynaugh.

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

RECONVENE IN OPEN SESSION: Trustee Wright made a motion to return to open session. Seconded by Larsen. Motion carried by voice vote.

ADJOURN- Trustee J. Johnson made a motion to adjourn at 7:28 PM. Seconded by Lynaugh. Motion carried by voice vote.

Drafted this 19th day of April, 2011
Approved this 3rd day on May, 2011

Mary A. Cole, Clerk/Deputy Treasurer

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT- CCI-COAKLEY TECH

4-18-11

THAT THE REQUEST BY CCI-COAKLEY TECH SEEKING A CONDITIONAL USE PERMIT TO STORE DOCUMENTS AT 1651 RENAISSANCE BLVD. BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That this approval is subject to the documentation dated March 30, 2011 and presented by CCI-Coakley Tech to the Plan Commission on April 14, 2011 which is incorporated herein by reference.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department. Sturtevant is currently using the building inspectors from the Village of Mt. Pleasant
- c. That the location will not be open to the public and there will be no permanent employees stationed at this location.
- d. That all aspects of the operation of this business be conducted indoors including vending machines, product displays or sales.
- e. That the outside storage of junked vehicles, semi trailers, recreational vehicles, vehicle parts, materials and equipment be prohibited in any parking slots dedicated for CCI-Coakley Tech .
- f. That CCI-Coakley Tech itself or through its landlord, ROBKA INVESTMENTS, 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.

- 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 CCI-Coakley Tech may have a sign installed in the building's general signage and may also have a sign painted on the entry door to the office. All signs shall be required to be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Village Administrator.
- k. That is permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
- l. That CCI-Coakley Tech 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. CCI-Coakley Tech 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 CCI-Coakley Tech 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-WHAM LLC

4-18-11

THAT THE REQUEST BY WHAM LLC SEEKING A
CONDITIONAL USE PERMIT TO OPERATE A TYPE 4
SALVAGE PERMIT BUSINESS AT 9716 HALLOCK BE
APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That this approval is subject to and incorporates the memo presented by the applicant to the Plan Commission on March 10, 2011.
- b. That all appropriate building and occupancy permits be requested and obtained from the Building Inspection Department (Sturtevant currently contracts with the Village of Mt. Pleasant for building inspection services).
- c. That no vehicles, whether junk or operational, shall be stored or parked on the property. That no auto or vehicular parts shall be stored on or sold from the property. That the operation of a salvage yard is specifically and strictly prohibited. That only one tow truck shall be allowed on the property and that one tow truck shall be stored inside the building. That the property shall only be used for the maintenance of motor vehicle salvage records and for the inside storage of one tow truck.
- d. That this operation is not open to the public and there shall be no public hours of operation.
- e. That all aspects of the operation of this business be conducted indoors including vending machines, product displays or sales.
- f. That Wham LLC 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 and that a parking area striping plan be submitted to staff for review and approval. Said plan shall include at least one handicapped parking space.
 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.
- 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 no new signage has been requested and none is approved at this time. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Village Administrator.
 - k. That this permit shall terminate unless substantial work is completed within 6 months of the granting of this permit.
 - l. That Wham LLC shall reimburse all of the Village for the Village's out of pocket expenses related to the review and approval process through the planning commission. Wham LLC 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 the Wham LLC making contact with the Racine Water Utility and paying any required REC charges imposed by the Racine Water Utility.