

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

Clerk Hanstad swore in Chris Larsen, John Johnson, and Chris Wright 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 Lynaugh, Busha, G. Johnson, Wright, Larsen, J. Johnson, and President Jansen. Also present was Police Chief Marschke and Administrator Janiuk.

MINUTES- Trustee Lynaugh made a motion to accept the Minutes from the Board Meeting that took place on April 8, 2009. Seconded by Wright. Motion carried by voice vote.

CORRESPONDANCE – Clerk Hanstad informed the Board that a settlement has been reached in the Workers Compensation Claim filed by Jeffrey Mattek on June 21, 2000. Communication on file with Clerk.

Clerk Hanstad mentioned that the Wisconsin Department of Transportation has sent over the final maps and report for the I-94 Frontage Roads Access Management Plan/Vision and is requesting for the Village Board to adopt the report. Clerk Hanstad mentioned that she will add this item to the April 28, 2009 Committee Agenda.

COMMITTEE REPORTS

STORM WATER & WASTEWATER- Trustee Wright reviewed Minutes taken at the April 14, 2009 Committee Meeting. Committee discussed. Minutes on file with Clerk.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha presented Minutes from the Committee Meeting that was held on April 14, 2009. The Committee discussed the July 3rd Fireworks Event. 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 go in front of the Board this evening. Committee discussed the Fireman's Park Pavilion, Banners, and Sturtevant Youth Baseball. Also discussed was Earth Day. Earth Day activities will take place at Kirkorian Nature Preserve at 9:00 am on April 25, 2009. Also discussed was the Donation for Kirkorian Nature Preserve and Sturtevant Youth Baseball. Minutes on file with Clerk.

FINANCE & BUDGETARY- Trustee Lynaugh reviewed items discussed at the April 14, 2009 Committee Meeting. Committee reviewed checks for payment. A Presentation was given by Greg Johnson of Ehlers and Associates Regarding Future Borrowing. A Resolution authorizing the Village of Sturtevant to apply for a State Trust Fund Loan will go in front of the Board this evening. A Resolution allowing the Village of Sturtevant to obtain general obligation promissory notes will go in front of the Board this evening. A Resolution authorizing the defeasance of water and sewer bonds will go in front of the Board this evening. Village Financial Update / Possible Layoffs & Other Cost Savings in 2009 will be discussed further a future Committee Meeting. Committee discussed Revisions to Health Department Fees. A Resolution and Ordinance 2009-04, A Ordinance to Create Section 11.26 of the Municipal Code of the Village of Sturtevant Pertaining Public Health and Environmental Sanitation Fees will go in front of the Board for first and second Reading. Committee discussed the Sale of the Village of Sturtevant Owned Parcel Next to the Hiawatha. The Celeste Family Trust has made an offer to purchase the property for \$9,300. Committee agreed that they would like to accept the offer. A Resolution will go in front of the Board tonight. Committee decided to hold over discussion of the Land for the Railroad Museum.

ADMINISTRATION, PERSONNAL, AND LEGAL-Trustee J. Johnson reviewed minutes from the Committee Meeting that took place on April 14, 2009. Committee discussed Possible Revisions to the

Household Hazardous Waste Contract. A Resolution will go in front of the Board this evening.

PUBLIC SAFETY & HEALTH- Trustee Wright went over minutes discussed at the Committee Meeting that took place on April 14, 2009. Committee discussed the Shooting Range for Combat Cave Paintball. A Resolution will go in front of the Board this evening. Fire Consolidation Status Report / Power Assisted Stretchers will be discussed at a later date. Minutes on file with Clerk

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee G. Johnson presented minutes from the April 14, 2009 Committee Meeting. Committee discussed Special Assessments for the Broadway Drive Reconstruction Project / Chicory Creek Assessments.

Committee discussed was the 2009 Bond Issue / Project and Equipment. These items remain at Committee for further discussion. Also discussed was the Final Acceptance of the 90th Street Construction Project. A Resolution will go in front of the Board this evening. Minutes on file with Clerk.

ECONOMIC DEVELOPMENT AND REDEVELOPMENT- Trustee G. Johnson went over minutes from the April 14, 2009 Committee Meeting. Committee discussed the 2010 Census. A Resolution supporting the Racine County Census 2010 Complete Count Committee will go in front of the Board tonight. Committee discussed the Bid Results for 90th Street, 92nd Street and Washington Avenue. A Resolution awarding the contract will go in front of the Board tonight. Committee discussed the Community Development Block Grant Application. A Resolution will go in front of the Board tonight. Minutes on file with Clerk.

PLANNING COMMISSION- Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant the amendment to the conditional use permit for Johnson Diversey, 901 Renaissance Blvd, 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 J. Johnson. Motion carried by voice vote.

Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit to Combat Cave Paintball, 8505 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 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 on Wednesday, April 15, 2009 the Sturtevant Police Department responded to a double shooting in the 3400 block of Kennedy Drive. The shooting resulted in a homicide. Chief Marschke stated that the investigation is ongoing. Chief Marschke mentioned that residents are concerned and that he will meet with them at a future meeting.

REPORT FROM PUBLIC WORKS DIRECTOR- Public Works Supervisor Stachowski not present. Report on file with Clerk

REPORT FROM ADMINISTRATOR- Administrator Janiuk requested that the following items be placed on the April 28, 2009 Committee Meeting Agenda - I-94 Frontage Road Access Management Plan, Cobble Court Status, March Financial Statement, Sanitary Sewer Fee Adjustments, and the Offer to Purchase the Village Owner Parcel on the Southwest Corner of CTH H and Highway 11.

Administrator Janiuk informed the Board that the bid opening for the Broadway Drive project is scheduled for 2:00 p.m. on Wednesday, April 22, 2009.

Administrator Janiuk mentioned that Resolution 2009-24, Resolution by the Finance and Budgetary Committee Setting Forth the Fees in Connection with Chapter 11 of the Code of Ordinances Relating to Environmental Sanitation, should be held over until the next Board Meeting.

Administrator Janiuk informed the Board that there is a Smart Growth Meeting at 5:00 PM Monday, April 27, 2009 at Gateway.

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

Dan Christensen, 2835 Wisconsin Street, expressed concern over the Conditional Use Permit granted to Combat Cave Paintball.

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

ORDINANCE: Trustee J. Johnson made a motion for the first reading of Ordinance 2009-04 to read by title only. Seconded by G. Johnson. Motion carried by voice vote.

ORDINANCE NO. 2009-04

AN ORDINANCE TO CREATE SECTION 11.26 OF THE MUNICIPAL CODE OF THE VILLAGE OF STURTEVANT PERTAINING TO PUBLIC HEALTH AND ENVIRONMENTAL SANITATION FEES

Trustee J. Johnson made a motion to suspend the rules for the second reading of Ordinance 2009-04 by title only. Seconded by G. Johnson.

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

ORDINANCE NO. 2009-04

AN ORDINANCE TO CREATE SECTION 11.26 OF THE MUNICIPAL CODE OF THE VILLAGE OF STURTEVANT PERTAINING TO PUBLIC HEALTH AND ENVIRONMENTAL SANITATION FEES

Ordinance 2009-04 referred back to the Finance & Budgetary Committee.

RESOLUTIONS: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolutions 2009-06, 2009-29, 2009-30, 2009-31, 2009-32, 2009-33, 2009-34 and 2009-35 by title only. Seconded by Lynaugh.

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

RESOLUTION 2009-06

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 FIREWORKS FOR JULY 3, 2009

RESOLUTION 2009-29

RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE AUTHORIZING THE SALE OF 9731 DURAND AVE TO THE JAMES V CELESTE FAMILY TRUST

RESOLUTION 2009-30

RESOLUTION BY THE ADMINISTRATIVE, PERSONNEL, POLICY AND LEGAL COMMITTEE AUTHORIZING THE EXECUTION OF AN AMENDED HOUSEHOLD HAZARDOUS WASTE COLLECTION CONTRACT WITH THE CITY OF RACINE

RESOLUTION 2009-31

*RESOLUTION BY THE PUBLIC SAFETY AND HEALTH COMMITTEE AUTHORIZING COMBAT CAVE
PAINTBALL AS AN APPROVED TARGET RANGE*

RESOLUTION 2009-32

*RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE
GRANTING FINAL ACCEPTANCE OF A PORTION OF 90th STREET BETWEEN BRUAN ROAD
AND BROADWAY DRIVE*

RESOLUTION 2009-33

*RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE
EXPRESSING THE SUPPORT OF A SUCCESSFUL 2010 DECENNIAL CENSUS AND FOR
COOPERATION WITH THE RACINE COUNTY CENSUS 2010 COMPLETE COUNT COMMITTEE*

RESOLUTION 2009-34

*RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE
AUTHORIZING AWARDING A CONTRACT FOR CERTAIN SIDEWALK IMPROVEMENTS*

RESOLUTION 2009-35

*RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE
AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDS FOR HOUSING ASSISTANCE FOR 2009*

Trustee J. Johnson moved for the adoption of Resolutions 2009-06, 2009-29, 2009-30, 2009-31, 2009-32, 2009-33, 2009-34, and 2009-35. Seconded by G. Johnson. Motion carried by voice vote.

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-25 by title only. Seconded by Larsen.

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

RESOLUTION 2009-25

*RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE AUTHORIZING DIRECTING
VILLAGE STAFF TO APPLY FOR A STATE TRUST FUND LOAN IN AN AMOUNT OF \$375,000*

Trustee J. Johnson moved for the adoption of Resolution 2009-25. Seconded by Lynaugh. Motion carried by voice vote.

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-26 by title only. Seconded by Lynaugh.

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

RESOLUTION 2009-26

*AN INITIAL RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF NOT TO EXCEED \$2,400,000
GENERAL OBLIGATION PROMISSORY NOTES, AND CERTAIN RELATED DETAILS*

Trustee J. Johnson moved for the adoption of Resolution 2009-26. Seconded by Lynaugh.

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

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-27 by title only. Seconded by Lynaugh.

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

RESOLUTION 2009-27
AN RESOLUTION AUTHORIZING THE DEFEASANCE OF CERTAIN OUTSTANDING WATER AND SEWER BONDS

Trustee J. Johnson moved for the adoption of Resolution 2009-27. Seconded by Lynaugh.

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

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-28 by title only. Seconded by Lynaugh.

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

RESOLUTION 2009-28
RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE AUTHORIZING THE TRANSFER OF FUNDS, RESCINDING AN ENCUMBERANCE OF FUNDS AND AUTHORIZING THE USE OF STORMWATER FUNDS FOR DEBT SERVICE

Trustee J. Johnson moved for the adoption of Resolution 2009-28. Seconded by Lynaugh.

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

OLD BUSINESS- None

NEW BUSINESS- President Jansen mentioned that he will give the State of the Village Address at the May 5, 2009 Board Meeting.

Report appointing Committee assignments on file with Clerk.

President Jansen commented on the efforts of the Sturtevant Police Department in dealing with the homicide that occurred on April 15, 2009.

ADJOURN- Trustee G. Johnson made a motion to adjourn at 6:40 PM. Seconded by Lynaugh. Motion carried by voice vote.

Drafted this 21st day of April, 2009
Approved this 5th day of May, 2009

Mary Hanstad, Clerk/Deputy Treasurer

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT AMENDMENT- JOHNSON DIVERSEY
INC.

4-21-09

THAT THE REQUEST BY JOHNSON DIVERSEY INC. SEEKING TO AMEND ITS CONDITIONAL USE PERMIT WHICH CURRENTLY AUTHORIZES THE OPERATION OF A STORAGE BUILDING AT 901 RENAISSANCE BLD. TO INCLUDE ADDITIONAL USES WHICH ARE OFFICE, MATERIALS STORAGE, EQUIPMENT ASSEMBLY, LABORATORY, CHEMICAL PILOT PLANT AND PRODUCT DEMONSTRATION FACILITIES AS WELL AS GENERAL DISTRIBUTION AND WAREHOUSING BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the actual site plan and final plan for the exterior of the building shall not be changed as part of this amendment except to accommodate safety or HVAC additions. That the previous permits issued to Johnson Diversy Inc and Liberty Property Management in regard to this property are incorporated into this amendment.
- b. That the letter dated March 25, 2009 from Stuart Carron of Johnson Diversey Inc. setting forth the additional uses which shall be permitted by this conditional use permit amendment is incorporated herein by reference.
- c. That all appropriate building and occupancy permits be requested from the Building Inspection Department.
- d. That Johnson Diversey Inc. 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 yard areas, landscaping, buildings and grounds be maintained on a daily basis.
 4. That the outside storage of junked vehicles, recreational vehicles, vehicle parts, materials and equipment be prohibited.
- e. That all codes and ordinances be complied with and required permits be 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 no additional signage is being requested at this time.
 - i. That this permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
 - j. That Johnson Diversey 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. Johnson Diversey Inc. agrees that no occupancy permits shall be issued until said payment is made to the Village.

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT- MICHAEL WEISS AND VIRGINIA
WEISS D/B/A COMBAT CAVE PAINTBALL

4-21-09

THAT THE REQUEST BY MICHAEL WEISS AND VIRGINIA WEISS D/B/A COMBAT CAVE PAINTBALL SEEKING A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE AN INDOOR PAINTBALL FIELD FACILITY IN THE SOUTH BUILDING AT 8505 DURAND AVE. BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the written material presented to the Plan Commission on April 9, 2009 and all plans submitted as part of the approval process for Captain Ron's Indoor Skate Park ,including but not limited to drainage plans, site plans, landscaping plans, grading/erosion control plans and lighting plans, shall be incorporated herein and the conditional use permit shall be approved subject to the conditions contained therein and subject to the conditions contained herein.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department.
- c. That the maximum hours of operation be from 9:00 a.m. to 9:00 p.m. Mon-Thur. and 9:00 a.m. to 11:00 p.m. Fri and Sat. and 9:00 a.m. to 7:00 p.m. Sunday 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. There shall be no paintball shooting or related activities allowed outside of the building.
- e. There shall be a minimum of 8 parking spaces for the paintball field facility, alone. There shall be an additional 191 additional parking spaces for the banquet hall which is to be operated out of the north building on the site.

- f. The location of the garbage containers shall be located in between the building with adequate fencing to contain litter and debris.
- g. That loud noise or music from within the building shall not be audible at the property line of the site.
- h. That Michael Weiss and Virginia Weiss d/b/a Combat Cove Paintball, directly or through its landlord, 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 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.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. 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.
- k. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- l. That Michael Weiss and Virginia Weiss d/b/a Combat Cove Paintball shall be allowed to change the existing face sign for the skate board

park with Combat Cove Paintball signage. 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.

- m. That this permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
- n. That Michael Weiss and Virginia Weiss d/b/a Combat Cove Paintball 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. Michael Weiss and Virginia Weiss d/b/a Combat Cove Paintball agrees that no occupancy permits shall be issued until said payment is made to the Village.
- o. That there shall be an access point in the north parking lot allowing motor vehicle access to the Farm and Fleet parking lot.
- p. The stationary lights and lights from motor vehicles shall be screened so as to not disturb adjacent land owners.