

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

PUBLIC HEARING FOR ORDINANCE 2009-12-AN ORDINANCE TO AMEND SECTIONS 14.30(1) (A) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT RELATING TO FRONT YARD DECKS AND PORCHES

President Jansen called the Public Hearing on Ordinance 2009-12 -An Ordinance to Amend Sections 14.30(1) (A) of the Code of Ordinances for the Village of Sturtevant Relating to Front Yard Decks and Porches, to Order at 6:00 PM. President Jansen mentioned that public comment will stay open for at least fifteen minutes for anyone who wishes to be heard.

Jerry Isaacson, 9033 Hulda Drive, commented on the Ordinance revision.

MINUTES- Trustee Lynaugh made a motion to accept the Minutes from the Board Meetings that took place on November 3, 2009. Seconded by Larsen. Motion carried by voice vote.

CORRESPONDANCE –Clerk Cole informed the Board that communication was received from Attorney Daniel Emma of Wagner, Falconer & Judd regarding a property at 2501 Wisconsin Street. The property owner, Earl Nickerson is complaining of drainage issues on the property. Communication on file with Clerk.

Clerk Cole mentioned that communication was received from Racine Water Utility in regard to the 2010 Sewer Service Rates. The residential (Class I) Wastewater User Rate will be increased by 2.8% in 2010.

Clerk Cole informed the Board communication was received was from Congressman Paul Ryan’s office thanking the Sturtevant Police Department for their assistance with the meeting that occurred on August 27, 2009.

Clerk Cole mentioned that Ordinance 2009-12 has been changed to Ordinance 2009-12-S since first and second reading. It is recommended that the Board recognizes that before adoption.

Clerk Cole informed the Board communication was received from Attorney John Hotvedt of Lloyd, Phenicie, Lynch, Kelly & Hotvedt regarding the current sewer rates for Killarney Kourt.

COMMITTEE REPORTS

ADMINISTRATION, PERSONNAL, AND LEGAL- Trustee J. Johnson presented Minutes from the November 10, 2009 Committee Meeting. Committee discussed the Liquor License Violation at Village Food & Liquor Mart. Committee discussed Class “B” Liquor License for Pizza Face, Soda License for Pizza Face, and Operators Licenses for Carrie Milton (Airport Inn), Joan Schultz (Pizza Face), and Jacob Moravec (Pizza Face). Also discussed was the 2010 Poll Workers. A motion approving the list provided by the Village Clerk will go in front of the Board for approval. Also discussed was the Assessor Contract for 2010, 2011 and 2012. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

Trustee J. Johnson made a motion to grant a Class “B” License to Pizza Face of Sturtevant, LLC, 9225 Durand Avenue. Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson made a motion to grant an Operators License to Carrie Milton (Airport Inn), Joan Schultz (Pizza Face), and Jacob Moravec (Pizza Face). Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson made a motion to grant a Soda License to Pizza Face of Sturtevant, LLC, 9225 Durand Avenue. Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson made a motion to approve the listing of 2010 Poll Workers provided by the Village Clerk. Seconded by Busha. Motion carried by voice vote.

STORM WATER & WASTEWATER- Trustee Larsen went over Minutes from the Committee Meeting that was held on November 10, 2009. Committee discussed the Racine Area Intergovernmental Sanitary Sewer Service, Revenue Sharing, Cooperation and Settlement Agreement. 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 November 10, 2009 Committee Meeting. Committee discussed Ordinance 2009-12, An Ordinance to Amend Sections 14.30(1) (a) And 17.30(2) (c) of the Code of Ordinances for the Village of Sturtevant Relating to Front Yard Decks and Porches. Ordinance 2009-12 will go in front of the Board for third reading and possible adoption. Committee discussed Discussion of the Proposed Detention Pond South of Durand East of CTH H / TID Borrowing / Hiring an Appraiser for Possible Land Acquisition. A Resolution authorizing the hiring of an Appraiser will go in front of the Board for approval. Also discussed was the Final Acceptance of TID Sidewalk Project. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee G. Johnson presented minutes from the November 10, 2009 Committee Meeting. Committee discussed the 2010 Capital Projects / Village Hall Roof/ Sewer Televising Report. A Resolution will go in front of the Board for approval. Committee discussed Final Acceptance of the Buckingham Drive & Buckingham Road Project and the 2009 Paving Program. A Resolution will go in front of the Board this evening. Also discussed was 2010 Capital Equipment. Minutes on file with Clerk.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha presented Minutes from the Committee Meeting that was held on November 10, 2009 Committee Meeting. Committee discussed July 3rd Fireworks Event, Community Garden, Newsletter and Iron Horse Run Donation. All of these items will remain at Committee for further discussion. Also discussed was Volunteer Recognition / Retention Pond Names. A Resolution naming two ponds in the Village will go in front of the Board for approval. Committee discussed naming the Fireman's Park Pavilion after the late Danny Christensen. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

PUBLIC SAFETY & HEALTH- Trustee Larsen went over minutes taken by Trustee Wright at the Committee Meeting that took place on November 10, 2009. Committee discussed Fire Alarm System Contract / Fire Control Annual Inspection Proposal at Village Hall. A Resolution will go in front of the Board this evening. Committee discussed the 2010 Health Department Contract. A Resolution authorizing the contract will go in front of the Board for approval. Committee agreed to hold over discussion of the Amendment of Ordinance 9.055 Regarding Noise. Minutes on file with Clerk.

FINANCE & BUDGETARY- Trustee Lynaugh went over Minutes recorded at the November 10, 2009 Committee Meeting. Committee reviewed checks for payment. Committee discussed the Investment Management Policy. Committee discussed the 2010 Budget / Possible Amendments / Resolution / Setting Storm Water ERU Charges / Setting Other Fees. A Resolution will go in front of the Board for approval this evening. Also discussed was the Energy Savings Plan. Minutes on file with Clerk.

PLANNING COMMISSION- Based on the recommendation of the Planning Commission, Trustee J. Johnson moved to grant a conditional use permit to the Pizza Face of Sturtevant, LLC, 9225 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 G. Johnson. 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 Police Department received information that there was going to be a fight at Kirkorian Nature Preserve, however, a fight didn't occur. Approximately 150 students fled the scene as the Police Department arrived.

Chief Marschke informed the Board the Sturtevant Police Department has been working with the Secret Service concerning fraud issues / counterfeiting issues.

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

REPORT FROM ADMINISTRATOR- Administrator Janiuk requested for Resolutions 2009-104 and 2009-105 to be held over at this time.

Administrator Janiuk requested that the following items be placed on the November 24, 2009 Committee Meeting Agenda – Cobble Court Status, October 2009 Financial Statement / Possible 2009 Budget Amendments, Neumann Homes Lawsuit, and Final Acceptance of the 2009 Sidewalk Repair Program.

PUBLIC HEARING FOR ORDINANCE 2009-12-AN ORDINANCE TO AMEND SECTIONS 14.30(1)(A) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT RELATING TO FRONT YARD DECKS AND PORCHES-MOTION TO CLOSE –Trustee Larsen made a motion to close the Public Hearing at 6:35 PM. Seconded by Lynaugh. Motion carried by voice vote.

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.

There was no public comment.

RESUME MEETING- Trustee J. Johnson made a motion to resume the meeting. Seconded by Lynaugh. 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 to suspend the rules for the third reading of Ordinance 2009-12 and read by title only. Seconded by Lynaugh.

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

ORDINANCE NO. 2009-12-S

AN ORDINANCE TO AMEND SECTIONS 14.30(1) (A) AND 17.30(2) (C) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT RELATING TO FRONT YARD DECKS AND PORCHES

Trustee J. Johnson moved for the adoption of Ordinance 2009-12. Seconded by Lynaugh.

Trustee J. Johnson moved to substitute Ordinance 2009-12-S in place of Ordinance 2009-12. Seconded by Lynaugh.

ROLL CALL TO SUBSTITUTE ORDINANCE 2009-12 TO ORDINANCE 2009-12-S: Busha aye, G. Johnson aye, Larsen aye, Lynaugh aye, J. Johnson aye, Jansen aye. Motion carried 6-0 vote.

ROLL CALL TO ADOPT ORDINANCE 2009-12-S: G. Johnson aye, J. Johnson aye, Busha aye, Larsen aye, Lynaugh aye, Jansen aye. Motion carried. 6-0 vote.

RESOLUTION: Trustee J. Johnson made a motion to refer Resolutions 2009-104 and 2009-105 back to the Administration, Personnel, Policy and Legal Committee. Seconded by Larsen. Motion carried by voice vote.

RESOLUTIONS: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolutions 2009-102, 2009-103, 2009-106, 2009-107, 2009-108, 2009-109, 2009-110, 2009-111, 2009-112, 2009-114, and 2009-116, and read by title only. Seconded by Busha.

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

RESOLUTION 2009-102

RESOLUTION BY THE ADMINISTRATION, PERSONNEL POLICY AND LEGAL COMMITTEE AUTHORIZING ENTERING INTO A THREE YEAR AGREEMENT WITH DH ASSESSMENTS LLC FOR ASSESSMENT SERVICES FOR THE YEARS 2010, 2011 AND 2012

RESOLUTION 2009-103

RESOLUTION BY THE ADMINISTRATION, PERSONNEL POLICY AND LEGAL COMMITTEE AUTHORIZING THE RENEWAL OF HEALTH INSURANCE WITH ANTHEM FOR CERTAIN VILLAGE EMPLOYEES FOR 2010

RESOLUTION 2009-106

RESOLUTION BY THE ADMINISTRATION, PERSONNEL, POLICY AND LEGAL COMMITTEE DENYING THE CLAIMS OF JOHN THEAMA AND LESLIE EHLERT

RESOLUTION 2009-107

RESOLUTION BY THE STORM WATER AND WASTEWATER COMMITTEE AUTHORIZING THE AMENDMENT OF THE RACINE AREA INTERGOVERNMENTAL SANITARY SEWER SERVICE, REVENUE SHARING, COOPERATION AND SETTLEMENT AGREEMENT

RESOLUTION 2009-108

RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE AUTHORIZING THE HIRING OF APPRAISERS AND THE CONDUCTING OF APPRAISALS OF A PARCEL OF LAND IN THE VILLAGE OF STURTEVANT

RESOLUTION 2009-109

RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE GRANTING FINAL ACCEPTANCE OF THE TID SIDEWALK PROGRAM

RESOLUTION 2009-110

RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE DETERMINING 2010 CAPITAL PROJECTS BY THE VILLAGE OF STURTEVANT

RESOLUTION 2009-111

RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE GRANTING FINAL ACCEPTANCE OF THE 2009 PAVING PROGRAM

RESOLUTION 2009-112

RESOLUTION BY THE COMMUNITY EVENTS, BEAUTIFICATION AND CULTURAL COMMITTEE OFFICIALLY NAMING TWO STORMWATER RETENTION PONDS AS "VETERANS MEMORIAL POND" AND "VOLUNTEER APPRECIATION POND"

RESOLUTION 2009-114

RESOLUTION BY THE PUBLIC SAFETY AND HEALTH COMMITTEE AUTHORIZING A CONTRACT WITH SIMPLEXGRINNEL LP FOR FIRE ALARM SYSTEM MAINTENANCE

RESOLUTION 2009-116

RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE ADOPTING AN INVESTMENT POLICY FOR VILLAGE OF STURTEVANT

Trustee J. Johnson moved for the adoption of Resolutions 2009-102, 2009-103, 2009-106, 2009-107, 2009-108, 2009-109, 2009-110, 2009-111, 2009-112, 2009-114, and 2009-116. Seconded by Larsen.
Motion carried by voice vote.

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-113 by title only. Seconded by Busha.

ROLL CALL: Larsen aye, Lynaugh aye, G. Johnson nay, J. Johnson aye, Busha aye, Jansen aye. Motion carried. 5-1 vote.

RESOLUTION 2009-113

RESOLUTION BY THE COMMUNITY EVENTS, BEAUTIFICATION AND CULTURAL COMMITTEE OFFICIALLY NAMING THE PAVILION AT FIREMAN'S PARK AS THE "DANNY CHRISTIANSEN PAVILION"

Trustee J. Johnson moved for the adoption of Resolution 2009-113. Seconded by Busha.

G. Johnson expressed concern over Resolution 2009-113.

Board discusses Resolution 2009-113.

Trustee Busha withdraws second.

Trustee J. Johnson withdraws motion.

Trustee J. Johnson made a motion to refer Resolution 2009-113 back to the Community Events, Beautification and Cultural Committee. 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 2009-115 and read by title only. Seconded by Larsen.

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

RESOLUTION 2009-115

RESOLUTION BY THE ADMINISTRATION, PERSONNEL, POLICY, AND LEGAL COMMITTEE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE VILLAGES OF MT PLEASANT AND CALEDONIA IN REGARD TO PUBLIC HEALTH SERVICES FOR 2010

Trustee J. Johnson moved for the adoption of Resolution 2009-115. Seconded by G. Johnson.

Trustee J. Johnson moved to amend the title of Resolution 2009-115 to read "Resolution by the Public Safety and Health Committee Authorizing Entering into an Agreement with the Villages of Mt. Pleasant and Caledonia in Regard to Public Health Services for 2010". Seconded by Larsen.

ROLL CALL TO AMEND RESOLUTION 2009-115: Lynaugh aye, J. Johnson aye, Busha aye, G. Johnson aye, Larsen aye, Jansen aye. Motion carried. 6-0 vote.

ROLL CALL TO ADOPT RESOLUTION 2009-115: J. Johnson aye, Busha aye, Lynaugh aye, G. Johnson aye, Larsen aye, Jansen aye. Motion carried. 6-0 vote.

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-117 and read by title only. Seconded by Busha.

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

RESOLUTION 2009-117

RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE AUTHORIZING THE ADOPTION OF THE 2010 BUDGET FOR THE VILLAGE OF STURTEVANT, AUTHORIZING POSITIONS, AUTHORIZING FEES AND SETTING THE TAX LEVY

Trustee J. Johnson moved for the adoption of Resolution 2009-117. Seconded by Lynaugh.

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

OLD BUSINESS- None

NEW BUSINESS- Trustee Larsen requested for the discussion of the “John Theama Drainage Concerns – Enterprise Drive Drainage Area” at the Committee Meeting on November 24, 2009

Trustee G. Johnson requested for the topic of “Discussion / Possible Amendment of Ordinance 2.13 Regarding the Reading of Ordinances” to be an agenda item at the November 24, 2009 Committee Meeting.

President Jansen mentioned that Pizza Face is planning on using the original recipe used by Muto’s Restaurant.

ADJOURN- Trustee J. Johnson made a motion to adjourn at 6:55 PM. Seconded by G. Johnson. Motion carried by voice vote.

Drafted this 17th day of November, 2009
Approved this 1st day of December, 2009

Mary A. Cole, Clerk/Deputy Treasurer

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT- PIZZA FACE LLC

11-17-09

THAT THE REQUEST BY PIZZA FACE LLC SEEKING A CONDITIONAL USE PERMIT TO OPERATE A FAMILY RESTAURANT AT 9225 DURAND AVE, BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the project description presented to the Plan Commission on November 12, 2009 is incorporated herein and the approval is subject to those conditions and 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 11:00 a.m. through 11:00 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 Pizza Face 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.
- 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 permanent 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 this permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
- k. That Pizza Face 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. Pizza Face LLC agrees that no occupancy permits shall be issued until said payment is made to the Village.