

President Steven Jansen called the meeting to order at 6:00 PM with the Pledge of Allegiance. Present were Trustees Wright, J. Johnson, Larsen, Busha, Lynaugh, G. Johnson, and President Jansen. 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 January 5, 2010. Seconded by Lynaugh. Motion carried by voice vote.

CORRESPONDANCE – Clerk Cole informed the Board that communication was received from the State of Wisconsin Department of Natural Resources regarding the Municipal Storm Water Drainage Permit submitted by the Village of Sturtevant. The permit does appear to comply with permit requirements. Communication on file with Clerk.

Clerk Cole mentioned that the Marcus Corporation has made a donation to the United Way in the name of the Village of Sturtevant.

Clerk Cole mentioned that Racine County Department of Planning and Development and Racine County Planning and Development Department have prepared the Multi-Jurisdictional Comprehensive Plan for Racine County: 2035. Communication on file with Clerk.

Clerk Cole informed the Board that there is a Committee of the Whole Meeting, closed session, scheduled for 5:45 PM on Tuesday, January 26, 2010.

COMMITTEE REPORTS

STORM WATER & WASTEWATER- Trustee Larsen went over Minutes taken at the Committee Meeting that was held on January 12, 2010. Committee discussed Sump Pump Drainage Issues / Discussion of a Possible Amendment to Ordinance 21.11 Pertaining to Sump Pump Discharges. Committee agreed to amend Ordinance allowing sump pumps to discharge into the street from April to November. Ordinance will go in front of the Board for first and second reading. Committee discussed the John Theama Drainage Concerns – Enterprise Drive Drainage Area. Minutes on file with Clerk.

ADMINISTRATION, PERSONNAL, AND LEGAL- Trustee J. Johnson presented Minutes from the January 12, 2010 Committee Meeting. Committee discussed the Operators License request by Christopher Mason, of Boomers Billiards, which will go in front of the Board for approval this evening. Committee discussed Ordinance 2010-02, An Ordinance to Amend Sections 2.13 and 2.04(4) of the Code of Ordinances of the Village of Sturtevant, Racine County, Wisconsin, Relating to the Reading of Ordinances and Resolutions, and Order of Business. This Ordinance will go in front of the Board for first and second Reading. Committee discussed the Household Hazardous Waste Contract. A Resolution will go in front of the Board for approval. Administrator Janiuk informed the Committee about the Random Drug Testing Agreement. Minutes on file with Clerk.

Trustee J. Johnson made a motion to grant an Operators License to Christopher Mason of Boomers Billiards, 9824 Durand Avenue, Sturtevant, Wisconsin 53177. Seconded by Lynaugh. Motion carried by voice vote.

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee G. Johnson presented minutes from the January 12, 2010 Committee Meeting. Committee discussed the Final Acceptance of the Broadway Drive Reconstruction Project. A Resolution will go in front of the Board for approval. Public Works Supervisor Stachowski gave an update on the Wisconsin DOT Highway 20 Meeting. Minutes on file with Clerk.

PUBLIC SAFETY & HEALTH- Trustee Wright went over minutes recorded at the Committee Meeting that took place on January 12, 2010. Committee agreed to continue discussion of the Amendment of Ordinance 9.055 Regarding Noise at the next Committee Meeting. Minutes on file with Clerk.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha presented Minutes from the Committee Meeting that was held on January 12, 2010. Committee discussed the Kirkorian Nature Preserve, Iron Horse Run Donation / Skateboard Park, Community Garden, Mt. Pleasant Half-Marathon, New Park, and Volunteer Recognition. Committee discussed the 2010 Fireworks Event. Resolution approving activities, contracts, and the 2010 budget for the event will go in front of the Board for approval. Minutes on file with Clerk.

FINANCE & BUDGETARY- Trustee Lynaugh went over items discussed at the January 12, 2010 Committee Meeting. Committee reviewed checks for payment.

Trustee Lynaugh informed the Board that the Finance & Budgetary Committee had a meeting this evening to discuss the Railroad Museum Lease with the Western Union Junction Railroad Club. Changes will be made to the lease and then brought to the Board for approval.

ECONOMIC DEVELOPMENT AND REDEVELOPMENT- Trustee G. Johnson mentioned that there were no items discussed at the January 12, 2010 Committee Meeting.

PLANNING COMMISSION- Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant the amendment to the conditional use permit for Clear Choice USA, 9600 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 Wright. Motion carried by voice vote.

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

REPORT FROM POLICE CHIEF – Chief Marschke mentioned that last week was Crossing Guard Appreciation Week.

Chief Marschke mentioned that he would like to discuss the Towing Ordinance at a future Committee Meeting.

Chief Marschke informed the Board that he attended a meeting, on Wednesday, January 13, 2010, with Racine Correctional Institution and the Sturtevant Transitional Facility to discuss the Disturbance Control Plan.

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

Public Works Supervisor Stachowski the he would like to discuss School Crossing Lights and the 94th Street Project at the next Committee Meeting.

Public Works Supervisor Stachowski informed the Board that recently attended a seminar on the latest Wastewater Programs.

REPORT FROM ADMINISTRATOR- Administrator Janiuk requested that the following items be placed on the January 26, 2010 Committee Meeting Agenda – Bus Contract, December 2009 Financial Statement, Mt. Pleasant Half Marathon, and TID Refinancing.

Administrator Janiuk mentioned that he would like to schedule a Closed Session Committee of the Whole Meeting prior to the Committee Meeting on Tuesday, January 19, 2010.

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.

Shelli York, 2924 94th Street, talked about fund raising and the fireworks contract for the 2010 Fireworks Event.

Kathy Johnson, 3225 Buckingham Road, talked about the property located at 2728 Wisconsin Street. Mrs. Johnson mentioned that the property was owned by a member of her family for a century. According to Mrs. Johnson, the property frequently flooded during that time.

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 for the first reading of Ordinance 2010-01 to read by title only.
Seconded by G. Johnson.

Trustee G. Johnson withdraws second. Trustee J. Johnson withdraws motion.

Trustee Larsen made a motion to refer Ordinance 2010-01 back to Committee for further discussion.
Seconded by J. Johnson. Motion carried by voice vote.

ORDINANCE: Trustee J. Johnson made a motion for the first reading of Ordinance 2010-02 to read by title only.
Seconded by Busha. Motion carried by voice vote.

*ORDINANCE NO. 2010-02
ORDINANCE TO AMEND SECTIONS 2.13 AND 2.09 (4) OF THE
CODE OF ORDINANCES OF THE VILLAGE OF STURTEVANT,
RACINE COUNTY, WISCONSIN, RELATING TO THE
READING OF ORDINANCES AND RESOLUTIONS, AND
ORDER OF BUSINESS*

Trustee J. Johnson made a motion to suspend the rules for the second reading of Ordinance 2010-02 and read by title only. Seconded by Busha.

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

*ORDINANCE NO. 2010-02
ORDINANCE TO AMEND SECTIONS 2.13 AND 2.09 (4) OF THE
CODE OF ORDINANCES OF THE VILLAGE OF STURTEVANT,
RACINE COUNTY, WISCONSIN, RELATING TO THE
READING OF ORDINANCES AND RESOLUTIONS, AND
ORDER OF BUSINESS*

Ordinance 2010-02 referred back to the Administration, Personnel, Policy, and Legal Committee.

RESOLUTIONS: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolutions 2010-03, 2010-04 and 2010-05. Seconded by Larsen.

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

RESOLUTION 2010-03

RESOLUTION BY THE ADMINISTRATION, PERSONNEL, POLICY AND LEGAL COMMITTEE AUTHORIZING THE EXECUTION OF AN AMENDED HOUSEHOLD HAZARDOUS WASTE COLLECTION CONTRACT WITH THE CITY OF RACINE AND ESTABLISHING THE HHW FEE FOR 2010

RESOLUTION 2010-04

RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE GRANTING FINAL ACCEPTANCE OF THE BROADWAY DRIVE RECONSTRUCTION PROJECT

RESOLUTION 2010-05

RESOLUTION BY THE COMMUNITY EVENTS, BEAUTIFICATION AND CULTURAL COMMITTEE AUTHORIZING VARIOUS JULY 3, 2010 EVENTS, ACTIVITIES AND CONTRACTS AND APPROVING A JULY 3, 2010 BUDGET

Trustee J. Johnson moved for the adoption of Resolutions 2010-03, 2010-04, 2010-05. Seconded by G. Johnson. Motion carried by voice vote.

OLD BUSINESS- None.

NEW BUSINESS- Trustee J. Johnson asked if the bus contract is paid by TID funds.

ADJOURN- Trustee J. Johnson made a motion to adjourn at 6:35 PM. Seconded by Lynaugh. Motion carried by voice vote.

Drafted this 20th day of January, 2010
Approved this 2nd day of February, 2010

Mary A. Cole, Clerk/Deputy Treasurer

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT- CLEAR CHOICE USA

1-20-10

THAT THE REQUEST BY CLEAR CHOICE USA OF SE WISCONSIN SEEKING A CONDITIONAL USE PERMIT TO OPERATE AN OFFICE , SHOWROOM AND STORAGE AT 9600 DURAND AVE. BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the approval incorporates the documentation presented to the Plan Commission on January 14, 2010 and is 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 all aspects of the operation of this business be conducted indoors including vending machines, product displays or sales.
- d. That the maximum hours of operation be 8:00 a.m. to 5:00 p.m. Monday through Saturday and by appointment and no other operations outside of the maximum hours of operation.
- 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 ClearChoice USA.
- f. That ClearChoice USA either directly or 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.

- 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 ClearChoice USA is permitted to have a face sign installed in the building's general 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 Village Administrator.
- k. That is permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.
- l. That ClearChoice USA 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. ClearChoice USA 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 ClearChoice USA making contact with the Racine Water Utility and paying any required REC charges imposed by the Racine Water Utility.