

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

Present were Trustees J. Johnson, Hoffman, Wright, Larsen, G. Johnson, and President Jansen. Trustee Busha was absent. Also present was Police Chief Marschke, Public Works Supervisor Stachowski, and Engineer Hastings.

**PUBLIC HEARING: PROPOSED SIDEWALK ASSESSMENTS FOR IMPROVEMENTS IN THE VILLAGE OF STURTEVANT RELATED TO THE PROPOSED 2012 SIDEWALK REPLACEMENT PROGRAM**

Trustee Larsen called the Public Hearing to Order at 6:02 PM. Seconded by G. Johnson. Motion carried by voice vote.

Dan Moore, representative from Faith Lutheran Church, 3112 91<sup>st</sup> Street, mentioned that Faith Lutheran Church currently leasing out the property located at 3112 91<sup>st</sup> Street. The lease is up at the end of August. The church is still deciding what to do with the property. Mr. Dan Moore asked about the options for having the sidewalk replaced.

Trustee Larsen made a motion to close the Public Hearing at 6:30 PM. Seconded by G. Johnson. Motion carried by voice vote.

MINUTES- Trustee Hoffman made a motion to accept the Minutes from the Board Meeting that took place on August 7, 2012. Seconded by J. Johnson. Motion carried by voice vote.

CORRESPONDANCE – Clerk Cole presented an e-mail submitted by Gloria Hess of Creative Brick & Concrete thanking the Village of Sturtevant for the 99<sup>th</sup> Street Reconstruction Project. E-mail on file with Clerk.

Clerk Cole informed the Board that Southeastern Wisconsin Regional Planning Commission has submitted a copy of the draft for the Transportation Improvement Program for Southeastern Wisconsin: 2013-2016. Also, a public informational meeting will be held at the Downtown Transit Center in downtown Milwaukee from 4:30-6:30 PM on August 29, 2012.

Clerk Cole reported that a preliminary estimate of population for the Village of Sturtevant, as of January 2012, is 7,016. This figure represents a population change of 18 person increase (0.7 percent) since the 2010 Census. These figures were supplied by the Wisconsin Department of Administration.

**COMMITTEE REPORTS**

ADMINISTRATION, PERSONNAL, AND LEGAL- Trustee Larsen recorded Minutes at the August 15, 2012 Committee Meeting. Committee discussed Ordinance 2012-09-An Ordinance by the Administration, Personnel, Policy, and Legal Committee to Amend Subsection 7.04(1) (b) of the Code of Ordinances of the Village of Sturtevant, Racine County, Wisconsin, to Regulate Parking on a Portion of 96<sup>th</sup> Street. This Ordinance will go in front of the Board for final reading and possible adoption. Committee discussed the Liquor License Violation-Village Food & Liquor. The owner of Village Food & Liquor attended the meeting to discuss the violation. Committee discussed Possible Ordinance Amendment to Allow for Class C Licenses and Street Closing-Science Drive. Also discussed was Post Retirement Benefits for Employees. Discussion will continue at the next Committee Meeting. Minutes on file with Clerk.

STORM WATER & WASTEWATER- Trustee Wright presented Minutes from the August 15, 2012 Committee Meeting. Committee discussed Ordinance 2012-10, An Ordinance by the Storm and Wastewater Committee to Amend Section 21.11(2) (c) (1) of the Code of Ordinances for the Village of Sturtevant Relating to Sump Pump Discharges. This Ordinance will go in front of the Board for final reading and possible adoption. Committee discussed Non Compliant Sump Pumps, Sump Pump Connection / Rain Garden Exemption, and Rain Barrels / Possible Purchase. Minutes on file with Clerk.

**PUBLIC SAFETY & HEALTH-** Trustee Hoffman recorded Minutes from the Committee Meeting that took place on August 15, 2012. The Annual Fire Report was Presented by South Shore Fire Department. Committee discussed Ordinance 2012-11-An Ordinance to Amend Sections 14.61(1) and 16.61(2) of the Code of Ordinances for the Village of Sturtevant Pertaining to Automatic Fire Sprinklers This Ordinance will go in front of the Board for first reading. Committee discussed Police Department Staffing. A Resolution will go in front of the Board for approval. Committee discussed 2013 Capital Purchases for South Shore Fire Department. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

**ECONOMIC DEVELOPMENT AND REDEVELOPMENT-** Trustee G. Johnson recorded minutes at the Committee Meeting on August 15, 2012. Committee discussed the Final Acceptance of the TID Pedestrian Paths-Phase II Project. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

**PUBLIC WORKS & CAPITAL IMPROVEMENTS-** Trustee G. Johnson recorded minutes at the Committee Meeting on August 15, 2012. Committee discussed the Roof Project Update / Possible Change to the Project / Make-up Air & Exhaust Systems. A Resolution will go in front of the Board for approval. Committee had Review of Bids for 2012 Sidewalk Repair Project. A Resolution awarding the contract will go in front of the Board. Committee discussed the Contract for Snow Removal at the Depot. A Resolution will go in front of the Board for approval. Also discussed was the Possible Sale of the 2001 Jacobsen Lawn Mower. Minutes on file with Clerk.

**FINANCE & BUDGETARY-** Trustee J. Johnson presented Minutes from Committee Meeting on August 15, 2012. The Committee reviewed checks for payment. Committee discussed the Cost of Repair of Computer Server. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

**COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL-** Trustee Busha recorded Minutes at the Committee Meeting that was held on August 15, 2012. Committee discussed the Iron Horse Run, Street Dance, and Root-Pike WIN's Watershed-based Grant Program. Minutes on file with Clerk.

**PLANNING COMMISSION-** Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant an amendment to the conditional use permit for American Metal Technologies, 2620 90<sup>th</sup> Street, 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 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 Krispy Krunchy Chicken, 8020 Durand Avenue, Unit E, 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 J. Johnson. Motion carried by voice vote.

**ENGINEER-** Engineer Hastings presented his bi-monthly report. Report on file with Clerk.

**REPORT FROM POLICE CHIEF –** Chief Marschke informed the Board the Sturtevant Police Department will be involved in the national “Drive Sober or get Pulled Over” campaign from August 17<sup>th</sup> through September 3<sup>rd</sup>.

Chief Marschke mentioned that he and Officer TenCate will attend animal control courses to discuss Humane Officer duties.

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

**REPORT FROM INTERIM ADMINISTRATOR-** Interim Administrator Cole mentioned that the roof project at Village Hall was started on August 15, 2012.

Interim Administrator Cole requested that the following items be discussed at the Committee Meeting on August 28, 2012- Garbage and Recycling Collection Contract, Audit Services for the Year End 2012, Assessor Contract for Services for Years 2013-2015, and July 2012 Financial Statement & Report.

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

Marianne Mitchell, 3033 93<sup>rd</sup> Street, talked about sump pumps and the connecting of sump pumps by property owners and private contractors.

Margaret Ruocco, 3249 92<sup>nd</sup> Street, mentioned that she installed her sump pump per the instructions given to her and was told at the inspection that the installation wasn't done correctly.

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

ORDINANCE: Trustee J. Johnson made a motion for the final reading of Ordinance 2012-09 by title only. Seconded by Larsen. Motion carried by voice vote.

*ORDINANCE NO. 2012-09*

*AN ORDINANCE BY THE ADMINISTRATION, PERSONNEL, POLICY, AND LEGAL COMMITTEE TO AMEND SUBSECTION 7.04(1)(b) OF THE CODE OF ORDINANCES OF THE VILLAGE OF STURTEVANT, RACINE COUNTY, WISCONSIN, TO REGULATE PARKING ON A PORTION OF 96<sup>TH</sup> STREET*

Trustee J. Johnson moved for the adoption of Ordinance 2012-09. Seconded by Larsen. Motion carried by voice vote.

ORDINANCE: Trustee J. Johnson made a motion for the final reading of Ordinance 2012-10 by title only. Seconded by Hoffman. Motion carried by voice vote.

*ORDINANCE NO. 2012-10*

*AN ORDINANCE BY THE STORM AND WASTEWATER COMMITTEE TO AMEND SECTION 21.11(2) (c) 1 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT RELATING TO SUMP PUMP DISCHARGES*

Trustee J. Johnson moved for the adoption of Ordinance 2012-10. Seconded by G. Johnson. Motion carried by voice vote.

ORDINANCE: Trustee J. Johnson made a motion for the first reading of Ordinance 2012-11 by title only. Seconded by G. Johnson. Motion carried by voice vote.

*ORDINANCE NO. 2012-11*

*AN ORDINANCE TO AMEND SECTIONS 14.61(1) AND 14.61(2) (d) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT PERTAINING TO AUTOMATIC FIRE SPRINKLERS*

Ordinance 2012-11 referred back to the Storm and Wastewater Committee.

RESOLUTIONS: Trustee J. Johnson made a motion for the reading of Resolutions 2012-46, 2012-48, 2012-49, and 2012-50 by title only. Seconded by Hoffman. Motion carried by voice vote.

*RESOLUTION 2012-46*

*RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE GRANTING FINAL ACCEPTANCE OF PHASE II OF THE TID PEDESTRIAN PATH PROJECT*

*RESOLUTION 2012-48  
RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE AUTHORIZING  
AWARDING A CONTRACT FOR THE 2012 SIDEWALK PROGRAM*

*RESOLUTION 2012-49  
FINAL RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER  
SECTION 66.0703, WISCONSIN STATUTES, FOR THE 2012 SIDEWALK REPLACEMENT PROGRAM IN THE  
VILLAGE OF STURTEVANT*

*RESOLUTION 2012-50  
RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE AUTHORIZING  
ENTERING INTO A SNOW REMOVAL CONTRACT WITH SHAWN ROBERTS LAWN AND TREE INC. FOR THE  
STURTEVANT DEPOT*

Trustee J. Johnson moved for the adoption of Resolutions 2012-46, 2012-48, 2012-49, and 2012-50.  
Seconded by G. Johnson. Motion carried by voice vote.

RESOLUTION: Trustee J. Johnson made a motion for the reading of Resolution 2012-44 by title only.  
Seconded by Hoffman. Motion carried by voice vote.

*RESOLUTION 2012-44  
RESOLUTION BY THE PUBLIC SAFETY AND HEALTH COMMITTEE AUTHORIZING THE HIRING  
OF FOUR LIMITED TERM POLICE OFFICERS AND ESTABLISHING THE PAY RATE*

Trustee J. Johnson moved for the adoption of Resolution 2012-44. Seconded by Hoffman. Motion carried  
by voice vote.

RESOLUTION: Trustee J. Johnson made a motion for the reading of Resolution 2012-45 by title only.  
Seconded by Larsen. Motion carried by voice vote.

*RESOLUTION 2012-45  
RESOLUTION BY THE PUBLIC SAFETY AND HEALTH COMMITTEE DETERMINING 2013 CAPITAL  
EQUIPMENT PURCHASES BY THE SOUTH SHORE FIRE DEPARTMENT*

Trustee J. Johnson moved for the adoption of Resolution 2012-45. Seconded by Hoffman. Motion carried  
by voice vote.

RESOLUTION: Trustee J. Johnson made a motion for the reading of Resolution 2012-47 by title only.  
Seconded by G. Johnson. Motion carried by voice vote.

*RESOLUTION 2012-47  
RESOLUTION BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE AUTHORIZING  
ADDITIONAL FUNDS FOR THE VILLAGE HALL ROOF/HVAC REPLACEMENT PROJECT*

Trustee J. Johnson moved for the adoption of Resolution 2012-47. Seconded by G. Johnson. Motion carried  
by voice vote.

RESOLUTION: Trustee J. Johnson made a motion for the reading of Resolution 2012-51 by title only.  
Seconded by Hoffman. Motion carried by voice vote.

*RESOLUTION 2012-51  
RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE AUTHORIZING THE PURCHASE OF A  
COMPUTER SERVER AND RELATED SERVICES*

Trustee J. Johnson moved for the adoption of Resolution 2012-51. Seconded by Larsen.

ROLL CALL: G. Johnson aye, Larsen aye, Hoffman aye, J. Johnson aye, Wright aye, and Jansen aye.  
Motion carried. 6-0 vote.

OLD BUSINESS- None.

NEW BUSINESS- Trustee J. Johnson made a motion to confirm Report 2012-10, Report by the Village President Appointing a Police Commission Member. Seconded by Wright. Motion carried by voice vote.

ROLL CALL: G. Johnson abstain, Hoffman nay, Wright aye, J. Johnson aye, Larsen nay, and Jansen aye.  
Motion carried. 3-2 vote.

Trustee Larsen mentioned that he would like to have a Discussion of Interim Administrator 30 Day Review at the Committee Meeting on August 28, 2012.

President Jansen informed the Board that he will not be present at the August 15<sup>th</sup> Committee Meeting.

Trustee Wright mentioned that he will be absent from the Board Meeting on September 18, 2012.

Public Works Supervisor Stachowski mentioned that he will be out of the office for military duty September 5<sup>th</sup> through September 9<sup>th</sup> and September 25<sup>th</sup> through September 29<sup>th</sup>.

ADJOURN- Trustee G. Johnson made a motion to adjourn at 6:45 PM. Seconded by Larsen.  
Motion carried by voice vote.

Drafted this 21<sup>st</sup> day of August, 2012  
Approved this 4<sup>th</sup> day on September, 2012

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Mary A. Cole, Clerk/Deputy Treasurer

**TERMS AND CONDITIONS/ CONDITIONAL USE**  
**PERMIT- AMERICAN METAL TECHNOLOGIES**  
**- WAREHOUSE SPACE**

8-8-12

**STAFF RECOMENDS:**

**1. THAT THE PLANNING COMMISSION FINDS THAT:**

- a. That the proposed use is proper for the Village's Industrial District.
- b. That there is appropriate and adequate parking for the proposed use and the use will not generate traffic problems when vehicles are entering or exiting the site.
- c. That no storm water drainage problems will be created by the proposed use at this site.
- d. That the proposed use is in accordance with the purpose and intent of the zoning ordinance and is not hazardous, harmful, offensive or otherwise adverse to the environmental quality, water quality, shoreland cover or property values in the village.

**2. THAT THE REQUEST BY AMERICAN METAL TECHNOLOGIES SEEKING A CONDITIONAL USE PERMIT TO STORE MATERIAL WITHIN THE BUILDING LOCATED AT 2620 90<sup>TH</sup> STREET BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

- a. That the plans and/or documents presented to the Plan Commission on August 9, 2012 are incorporated herein by reference. The area shall be used as warehouse space.
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department. Sturtevant is currently using the Mt. Pleasant building inspectors.

- c. That the hours of operation are as necessary to deliver and retrieve stored materials.
- d. That all aspects of the operation of this business be conducted indoors.
- e. That American Metal Technologies 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 yard areas, landscaping, buildings and grounds be maintained on a daily basis.
  - 3. 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.
  - 4. 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. Signage shall be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Village Administrator.
- j. That is permit shall terminate unless substantial work is completed within 6 months of the granting of this permit.

- k. That American Metal Technologies 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. American Metal Technologies agrees that no occupancy permits shall be issued until said payment is made to the Village.
  
- l. That this conditional use permit is contingent on American Metal Technologies making contact with the Racine Water Utility and paying any required REC charges imposed by the Racine Water Utility.