

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

**PUBLIC HEARING: SPECIAL ASSESSMENTS FOR THE BROADWAY DRIVE RECONSTRUCTION
IN THE VILLAGE OF STURTEVANT-**

Trustee G. Johnson made a motion to call the Public Hearing to order at 6:02 PM. Seconded by Larsen.

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

Engineer Hastings gave an overview of the project.

Jay Jerde, 305 91st Drive, Union Grove, WI, attending the meeting on behalf of his father, Gerald Jerde, whom owns 9100 Broadway Drive, asked if the Board would consider the following:

- Spot repair of sidewalks instead of a total replacement
- Charges for the Chicory Creek Subdivision to be spread among property owners that live on Broadway Drive instead of against Chicory Creek homeowners.

Sean Waiss, 9437 Hawthorne Drive, President of the Chicory Creek Homeowners Association talked about the points listed below.

- The catch basin on Broadway Drive
- Background of the Chicory Creek Subdivision
- Storm water assessments against property owners in the Chicory Creek Subdivision that don't front Broadway Drive.
- Encourages the Board to charge Neumann Development instead of the Chicory Creek Homeowners
- Mentioned that the storm water drainage from the Chicory Creek properties do not drain onto Broadway Drive

Rick Rogers, 9609 Broadway Drive, expressed concern over the sidewalk being installed on the southwest side of Broadway Drive and not on the northwest side.

Amanda Jerde, 304 Wolff Street, Racine, WI, owns 9200 Broadway Drive, asked about the items listed below.

- How the costs were determined for this project.
- Asked about Anticipated Begin & end date of the project.
- Asked when the project would begin being specially assessed.
- Questioned traffic flow during construction

Richard Sorenson, 419 N. Britton Road, Union Grove, Wisconsin, owns five parcels affected by this project, mentioned the Village of Sturtevant purchased some of the land on Broadway from Mr. Sorenson's father. Sorenson mentioned that it was anticipated that the road was going to be 66 feet wide.

Ed Linden, 3240 94th Street, questioned the charges and wanted to confirm that he isn't getting double charged. Mr. Linden mentioned that he installed a blacktop apron last year.

John Hetland, 9532 Broadway Drive, questioned the charge of the roadway.

Matt Ramsey, 9524 Broadway Drive, questioned the cost of the sidewalk assessment. Mr. Ramsey also asked about mailbox locations during construction. Mr. Ramsey asked about sump pump discharge.

Lynn Michelau, 3631 91st Place, asked if the numbers given in the engineers report represented the final amount of the assessment.

VILLAGE TRUSTEES, VILLAGE PRESIDENT AND DEPARTMENT HEADS TO VIEW THE LEAGUE OF WISCONSIN MUNICIPALITIES PUBLIC OFFICIALS DVD

Bill King with R & R Insurance, agent representative for the League of Wisconsin Municipalities Mutual Insurance, introduced himself.

Dennis Tweedale, Chief Executive Officer for the League of Wisconsin Municipalities Mutual Insurance, talked about claims related liability of public officials.

DVD Viewed from 6:50 to 7:08 PM.

2008 AUDIT REPORT PRESENTED BY JOHN KNEPEL OF VIRCHOW KRAUSE & COMPANY

John Knepel of Virchow Krause & Company presented the 2008 Audit Report for the Village of Sturtevant. Report on file with Clerk.

MINUTES- Trustee J. Johnson made a motion to accept the Minutes from the Board Meeting that took place on May 5, 2009. Seconded by G. Johnson. Motion carried by voice vote.

CORRESPONDANCE – None

COMMITTEE REPORTS

STORM WATER & WASTEWATER- Trustee Larsen reviewed Minutes taken at the May 12, 2009 Committee Meeting. Committee discussed Sanitary Sewer Rate Adjustments. The proposed adjustments will go in front of the Board as an Ordinance change. Ordinance 2009-05, An Ordinance by the Storm and Wastewater Committee to Amend Section 13.10 of the Code of Ordinances for the Village of Sturtevant, Racine County, Wisconsin, and Relating to Sewer Service Charges, will go in front of the Board for third reading and possible adoption this evening. Minutes on file with Clerk.

ADMINISTRATION, PERSONNAL, AND LEGAL-Trustee J. Johnson mentioned that there was no quorum present at the Committee Meeting that was held on May 12, 2009.

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee G. Johnson presented minutes from the May 12, 2009 Committee Meeting. Committee discussed Cost Share Agreement with Racine Water Utility for Buckingham Drive. A Resolution authorizing the agreement will go in front of the Board this evening. Committee talked about Capital Equipment Purchases. A Resolution authorizing the purchase of a Skid Steer and Cold Planer will go in front of the Board tonight. Committee discussed the Bid Results for the Broadway Drive Reconstruction Project. Minutes on file with Clerk.

PUBLIC SAFETY & HEALTH- Trustee Wright went over minutes taken at the Committee Meeting that took place on May 12, 2009. Committee discussed the Medical Claims of Three Former Sturtevant Firefighters. A Resolution will go in front of the Board this evening. Also discussed was the proposed Capital Equipment Purchases for South Shore Fire Department in 2010. Committee will continue discussion at the next Committee Meeting. Minutes on file with Clerk.

FINANCE & BUDGETARY- Trustee Lynaugh mentioned that there was no quorum present at the May 12, 2009 Committee Meeting.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha presented Minutes from the Committee Meeting that was held on May 12, 2009. The Committee discussed the July 3rd Fireworks Event. Also discussed was the Village of Sturtevant Newsletter. Minutes on file with Clerk.

ECONOMIC DEVELOPMENT AND REDEVELOPMENT- Trustee G. Johnson mentioned that there was no quorum present at the May 12, 2009 Committee Meeting.

PLANNING COMMISSION- Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant the amendment to the conditional use permits for Fountain Banquet Hall, Inc. (Formally CB & RC Investments, LLC and Charles Beth, d/b/a Fountain Hall)-8505 Durand Avenue, and to amend the sign permit for AMD Petroleum, pursuant to the terms and conditions that were handed out in regard to this applicant which terms and conditions are to be incorporated into these minutes. Seconded by Trustee Lynaugh. Motion carried by voice vote.

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

REPORT FROM POLICE CHIEF –Chief Marschke informed the Board that the Sturtevant Police Department is currently participating in two of the Department of Transportations Projects.

Chief Marschke mentioned that the Sturtevant Police Department is continuing to work on investigating the homicide that occurred on April 15, 2009.

Chief Marschke informed the Board that the Sturtevant Police Department that many vehicle tires have been slashed in the Chicory Creek Subdivision. The Police Department made an arrest in May 18, 2009.

Chief Marschke mentioned that he would like to give the Board an update on the Police Department Grants at the next Committee Meeting.

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

Public Works Supervisor Stachowski informed the Board that Sturtevant Youth Baseball Association will be hosting a Volunteer Work day at Fireman’s Park on Sunday, May 24, 2009.

Public Works Supervisor Stachowski mentioned that he would like to discuss the Purchase of a Replacement Snow Plow at the Committee Meeting scheduled for May 26, 2009.

REPORT FROM ADMINISTRATOR- Administrator Janiuk encouraged Trustees to view the repairs and improvements at the Sturtevant Dept.

Administrator Janiuk requested that the following items be placed on the May 12, 2009 Committee Meeting Agenda -April Financial Statement, Public Works Supervisor Position/Treasurer Position/Administrator Position, Request by Heartland to Allow Rental of Units at Cobble Court, Smart Growth Comprehensive Plan Approval, Teamster Health Insurance Proposal, Capital Purchases for South Shore Fire Department in 2010, and Name for New Detention Pond Created as Part of the Enterprise Drive Project.

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

Mark Isaacson, 8624 Camelot Trace, expressed concern over a property on Kennsington Square Road that is currently in foreclosure. Mr. Isaacson mentioned that there is trash in the back of the property as well as vandalism in and around the house.

Sean Waiss, 9437 Hawthorne Drive, mentioned that the flag located at the entrance of Chicory Creek was stolen. Mr. Waiss talked about the coordination of baseball events with the Village of Sturtevant and Sturtevant Youth Baseball.

RESUME MEETING- Trustee Lynaugh made a motion to resume the meeting. Seconded by J. 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 to suspend the rules for the third reading of Ordinance 2009-05 to read by title only. Seconded by Larsen.

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

ORDINANCE NO. 2009-05
AN ORDINANCE BY THE STORM AND WASTE WATER COMMITTEE TO AMEND SECTION
13.10 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STURTEVANT, RACINE
COUNTY, WISCONSIN, RELATING TO SEWER SERVICE CHARGES

Trustee J. Johnson moved for the adoption of Ordinance 2009-05. Seconded by Lynaugh.

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

ORDINANCE: Trustee J. Johnson made a motion to suspend the rules for the third reading of Ordinance 2009-06 to read by title only. Seconded by Busha.

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

ORDINANCE NO. 2009-06
AN ORDINANCE BY THE ADMINISTRATION, PERSONNEL, POLICY AND LEGAL COMMITTEE TO
AMEND SECTION 5.09(2) OF THE MUNICIPAL CODE OF THE
VILLAGE OF STURTEVANT PERTAINING TO FIRE INSPECTIONS

Trustee J. Johnson moved for the adoption of Ordinance 2009-06. Seconded by Lynaugh.

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

RESOLUTIONS: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolutions 2009-44 and 2009-45 by title only. Seconded by Lynaugh.

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

RESOLUTION 2009-44
RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE
AUTHORIZING AN AGREEMENT WITH THE RACINE WATER UTILITY TO SHARE CERTAIN COSTS
FOR THE BUCKINGHAM RESURFACING PROJECT

RESOLUTION 2009-45
RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE
AUTHORIZING THE PURCHASE OF A SKID STEER AND COLD PLANER AND AUTHORIZING THE
SALE OF SURPLUS EQUIPMENT

Trustee J. Johnson moved for the adoption of Resolutions 2009-44 and 2009-45. Seconded by Lynaugh. Motion carried by voice vote.

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-46 by title only. Seconded by Busha.

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

RESOLUTION 2009-46
RESOLUTION BY THE PUBLIC SAFETY AND HEALTH COMMITTEE AUTHORIZING THE PAYMENT
OF MEDICAL CLAIMS OF FORMER STURTEVANT FIRE FIGHTERS

Trustee J. Johnson moved for the adoption of Resolutions 2009-46. Seconded by Busha.

The Board discussed Resolution 2009-46.

Trustee G. Johnson made a motion to table Resolution 2009-46 and refer it back to Committee for further discussion. Seconded by J. Johnson. Motion carried by voice vote.

OLD BUSINESS-None.

NEW BUSINESS- Trustee Lynaugh made a motion to accept the 2008 Audit Report prepared by Virchow Krause and Company. Seconded by J. Johnson. Motion carried by voice vote.

President Jansen mentioned that there are residents concerned about the boulevard on Majestic Hills Drive and who is responsible for maintaining the boulevard.

ADJOURN- Trustee J. Johnson made a motion to adjourn at 8:55 PM. Seconded by G. Johnson. Motion carried by voice vote.

Drafted this 19th day of May, 2009
Approved this 2nd day of June, 2009

Mary Hanstad, Clerk/Deputy Treasurer

TERMS AND CONDITIONS/ CONDITIONAL USE PERMIT
AMENDMENT- FOUNTAIN BANQUET HALL INC. (FORMERLY
CB&RC INVESTMENTS LLC) AND CHARLES BETH D/B/A
FOUNTAIN HALL

5-18-09

THAT THE REQUEST BY FOUNTAIN BANQUET HALL (FORMERLY CB&RC INVESTMENTS LLC) AND CHARLES BETH D/B/A FOUNTAIN HALL SEEKING AN AMENDMENT TO THE CONDITIONAL USE PERMIT (WHICH ALLOWED THE CONSTRUCTION AND OPERATION OF A BANQUET HALL) IN THE NORTH BUILDING AT 8505 DURAND AVE. TO CHANGE THE PARKING LOT AND PROVIDE ADDITIONAL PARKING SPACES BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the existing conditional use permit shall remain in full force and effect except for the specific change authorized by this amendment.
- b. That the plans presented to the Plan Commission on May 14, 2009 and marked "Plan ____" , including but not limited to drainage plans, site plans, landscaping plans, and grading/erosion control plans be approved subject to the conditions contained therein and subject to the conditions contained herein.
 1. Plans are approved contingent upon the owner/applicant satisfying staff review comments.
- c. There shall be a minimum of 219 parking spaces for the banquet hall, alone and 8 parking for the paintball facility which operates out of the south building on the site. The total parking spaces shall be 227.
- d. That Fountain Banquet Hall Inc. (formerly CB&RC Investments LLC) and Charles Beth d/b/a Fountain Hall 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. Banquet Hall Inc. (formerly CB&RC Investments LLC) and Charles Beth d/b/a Fountain Hall agrees that no occupancy permits shall be issued until said payment is made to the Village.

TERMS AND CONDITIONS/ CONDITIONAL USE
PERMIT AMENDMENT- AMD PETROLEUM

5-18-09

THAT THE REQUEST BY AMD PETROLEUM SEEKING AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT WHICH ALLOWED THE OPERATION OF A GAS STATION AND CONVENIENCE STORE AT 9001 DURAND AVE, BE APPROVED IN PART AND DENIED IN PART SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the existing conditional use permit shall remain in full force and effect except for the specific change authorized by this amendment.
- b. That the request to modify the operational hours is denied and the hours shall remain the same.
- c. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- d. That a new sign with digital displayed prices shall be authorized and approved subject to review and approval by the Building Inspector.
- e. That AMD Petroleum 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. AMD Petroleum agree that no occupancy permits shall be issued until said payment is made to the Village.