

Village of Sturtevant
Proceedings from the Regular Board Meeting June 16, 2009

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

MINUTES- Trustee G. Johnson made a motion to accept the Minutes from the Board Meeting that took place on June 2, 2009. Seconded by Larsen. Motion carried by voice vote.

CORRESPONDANCE – Nothing to report.

COMMITTEE REPORTS

ECONOMIC DEVELOPMENT AND REDEVELOPMENT- Trustee G. Johnson presented Minutes from the June 9, 2009 Committee Meeting. Committee discussed Ordinance 2009-07, An Ordinance Adopting the Comprehensive Plan for the Village of Sturtevant, Racine County, Wisconsin which will go in front of the Board for third reading and possible adoption. Committee discussed Cobble Court-Request by Hartland Development to Allow Rental of Units. A Resolution will go in front of the Board this evening. Minutes on file with Clerk.

PUBLIC WORKS & CAPITAL IMPROVEMENTS- Trustee G. Johnson went over Minutes from the June 9, 2009 Committee Meeting. Committee discussed the Purchase of a Replacement Snow Plow. A Resolution authorizing the awarding of the contract will go in front of the Board this evening. Committee discussed the Mowing of Medians. Minutes on file with Clerk.

COMMUNITY EVENTS, BEAUTIFICATION & CULTURAL- Trustee Busha presented Minutes from the Committee Meeting that was held on June 9, 2009. The Committee discussed the July 3rd Fireworks Event, Clay Morgan Property, Detention Pond Names, Memorial Tree, the Village of Sturtevant Newsletter, Community Garden, and Banners. Minutes on file with Clerk.

Trustee Busha made a motion to waive the tent permit fee for Sturtevant Fireworks event scheduled for July 3, 2009. Seconded by Lynaugh.

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

ADMINISTRATION, PERSONNAL, AND LEGAL-Trustee J. Johnson presented Minutes from the Committee Meeting that took place on June 9, 2009. Committee discussed 2009 License Renewals. Approval of these licenses will go in front of the Board tonight. Committee discussed the Teamster Health Insurance Proposal. Also discussed was the Street Use-Block Party-Chicory Creek which will go in front of the Board for approval this evening. Committee discussed the Building Inspector Vacancy. Minutes on file with Clerk.

Trustee J. Johnson made a motion to approve the Street Use Permit submitted by Ali Bahr for the annual picnic for the Chicory Creek Subdivision on Saturday, July 18, 2009 from 2:00 PM to 9:00 PM. The requested area would be Angelica Drive from 92nd Place, east to 91st Place continuing on 91st to Chicory Creek (traffic will still be able to travel though neighborhood). Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson made a motion to approve the renewal application for “Class A” Combination (Beer and Liquor Licenses-Off-site) to East Racine Petroleum, 8020 Durand Avenue, Unit A Sturtevant, Wisconsin 53177. Seconded by Busha. Motion carried by voice vote.

Trustee J. Johnson made a motion to approve the renewal applications for Class "B" (Beer Only-On-site) to Big Shorties Pizza, 9225 Durand Avenue, Sturtevant, Wisconsin 53177. Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson made a motion to approve the renewal applications for Soda Licenses to East Racine Petroleum and Big Shorties Pizza. Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson made a motion to approve the renewal applications for Tobacco Licenses to East Racine Petroleum. Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson made a motion to approve the applications for Operators Licenses to Richard Okon (Airport Inn), Michael Thompson (J.Q. Foxes), Henry Sherman (Big Shorties Pizza), Jake Hollow, (Boomers Billiards), Angelica Acosta (East Racine Petroleum), and Maranda Klawinski (East Racine Petroleum). Seconded by Lynaugh. Motion carried by voice vote.

Trustee J. Johnson mentioned the possibility of having a Closed Session Meeting of the Administration, Personnel, Policy & Legal Committee to discuss the vacancy of the Building Inspector.

FINANCE & BUDGETARY- Trustee Lynaugh reviewed minutes from the June 9, 2009 Committee Meeting. Committee reviewed checks for payment. Committee discussed the Phone Line Contract-TDS Proposal. A Resolution authorizing the contract will go in front of the Board for approval. Also discussed was the Sale of the Village Owned Property at the Southwest Corner of CTH H and Highway 11. A Resolution authorizing the purchase will go in front of the Board for approval this evening. Committee decided to hold over discussion of the Land for the Railroad Museum and Investment Management of the 2009 Bond Funds and Other Village Funds. Minutes on file with Clerk.

PUBLIC SAFETY & HEALTH- Trustee Wright went over minutes taken at the Committee Meeting that took place on June 9, 2009. Committee discussed was the proposed Capital Equipment Purchases for South Shore Fire Department in 2010. A Resolution will go in front of the Board for approval. Minutes on file with Clerk.

STORM WATER & WASTEWATER- Trustee Larsen went over Minutes taken at the Committee Meeting on June 9, 2009. Committee discussed the Recycling Center Erosion Control and Storm Water Management Plan. 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 Fountain Banquet Hall, Inc. (Formally CB & RC Investments, LLC and Charles Beth, d/b/a Fountain Hall)-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 Larsen. Motion carried by voice vote.

Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit for Duracolor, 2620 90th Street, 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 Larsen. Motion carried by voice vote.

Based on the recommendation of the Planning Commission, Trustee G. Johnson moved to grant a conditional use permit for John Hribar / MLG Development, Corner of CTH H and Enterprise Drive, 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 Larsen. 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 forty-five children attended the Bike Rodeo at Schulte Elementary School. Chief Marschke thanked the Kiwanis Club for supporting the event.

Chief Marschke mentioned that the Sturtevant Police Department received a complaint and discovered an underage drinking party at North Park.

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 the CMAR Report is due on June 30, 2009. This should be discussed at the next Committee Meeting.

Public Works Supervisor Stachowski mentioned that he would like the Board to discuss the Marquis Family Scoreboard at the July 14, 2009 Committee Meeting.

Public Works Supervisor Stachowski informed the Board that one of the Village of Sturtevant lawn mowers kicked up a stone that damaged siding on a house in the village. The residents have filled out a claim form and the Public Works are going to work with the property owner to fix the siding.

Public Works Supervisor Stachowski mentioned that Stark Asphalt would like to begin the Broadway Drive Reconstruction Project the week of June 22, 2009.

REPORT FROM ADMINISTRATOR- Administrator Janiuk informed the Board that the attorney should be consulted prior to holding a Closed Session Meeting regarding the Building Inspector to determine the validity of holding a Closed Session in regard to this matter.

Administrator Janiuk mentioned that Resolution regarding the TDS Contract.

Administrator Janiuk informed the Board that the trial between the Village of Sturtevant and STS Consultants has been adjourned at the request of STS and Partners in Design. This may take six to nine months.

Administrator Janiuk requested that the following items be placed on the June 23, 2009 Committee Meeting Agenda –May 2009 Financial Statement, 2010 Budget, Funds from Sale of Skid Steer, Water Utility Funds, Final Acceptance of Detention Ponds and the 2009 Sidewalk Replacement Program-Preliminary Resolution.

Administrator Janiuk mentioned the Cobble Court Resolution that will go in front of the Board this evening. The amendment to the Development Agreement does incorporate the lease.

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

There was no public comment.

RESUME MEETING- Trustee Lynaugh 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.

ROLL CALL: G. Johnson aye, Lynaugh aye, Larsen aye, Busha aye, Wright abstain, J. 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 2009-07 by title only. Seconded by Busha.

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

ORDINANCE NO. 2009-07

*ORDINANCE BY THE ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE
ADOPTING THE COMPREHENSIVE PLAN FOR THE VILLAGE OF STURTEVANT, RACINE
COUNTY, WISCONSIN*

Trustee J. Johnson moved for the adoption of Ordinance 2009-07. 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.

ORDINANCE: Trustee J. Johnson made a motion for the first reading of Ordinance 2009-08 to read by title only. Seconded by Busha. Motion carried by voice vote.

ORDINANCE NO. 2009-08

*AN ORDINANCE TO CREATE SECTION 5.095 OF THE CODE OF ORDINANCES FOR THE
VILLAGE OF STURTEVANT RELATING TO FEES FOR FIRE PREVENTION INSPECTIONS*

Trustee J. Johnson made a motion to suspend the rules for the second reading of Ordinance 2009-08 by title only. Seconded by Busha.

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

ORDINANCE NO. 2009-08

*AN ORDINANCE TO CREATE SECTION 5.095 OF THE CODE OF ORDINANCES FOR THE
VILLAGE OF STURTEVANT RELATING TO FEES FOR FIRE PREVENTION INSPECTIONS*

Ordinance 2009-08 referred back to the Public Safety & Health Committee.

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-50 by title only. Seconded by Busha.

ROLL CALL: Larsen aye, Wright aye, Lynaugh nay, G. Johnson aye, J. Johnson aye, Busha aye, Jansen aye. Motion carried 6-1 vote.

RESOLUTION 2009-50

*RESOLUTION BY ECONOMIC DEVELOPMENT AND REDEVELOPMENT COMMITTEE
AUTHORIZING A JUNE 2009 AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH
COBBLE COURT ASSOCIATES LIMITED PARTNERSHIP*

Trustee J. Johnson moved for the adoption of Resolutions 2009-50. Seconded by G. Johnson.

Trustee G. Johnson withdraws second.

Trustee J. Johnson withdraws the motion.

Committee discusses the Cobble Court Development Agreement and Lease Agreement.

Trustee J. Johnson moved for the adoption of Resolution 2009-50. Seconded by G. Johnson.

ROLL CALL: Lynaugh aye, Busha aye, G. Johnson aye, Larsen nay, Wright nay, J. Johnson aye, Jansen aye. Motion carried 5-2 vote.

RESOLUTIONS: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolutions 2009-51 and 2009-52 by title only. Seconded by G. Johnson.

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

*RESOLUTION 2009-51
RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS COMMITTEE
AUTHORIZING THE PURCHASE OF INTERNATIONAL CONSTRUCTION DUMP TRUCK AND PLOW,
BOX, SPREADER AND RELATED EQUIPMENT FROM MONROE*

*RESOLUTION 2009-52
RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE AUTHORIZING THE
CONTRACT WITH TDS FOR PHONE LINE SERVICES*

Trustee J. Johnson moved for the adoption of Resolutions 2009-51 and 2009-52. Seconded by Larsen. Motion carried by voice vote.

RESOLUTION: Trustee J. Johnson made a motion to suspend the rules for the reading of Resolution 2009-53 by title only. Seconded by Larsen.

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

*RESOLUTION 2009-53
RESOLUTION BY THE FINANCE AND BUDGETARY COMMITTEE AUTHORIZING THE SALE OF 10505
DURAND AVENUE TO JOHN CHALIKIAN*

Trustee J. Johnson moved for the adoption of Resolution 2009-53. Seconded by Larsen.

Trustee Wright moved to amend Resolution 2009-53 to include the following language: "The Sale of this property is contingent on this parcel being adjoined with buyers adjacent Parcel". Seconded G. Johnson.

ROLL CALL TO AMEND RESOLUTION 2009-53: J. Johnson aye, Busha aye, Lynaugh aye, G. Johnson aye, Wright aye, Larsen aye, Jansen aye. Motion carried 7-0 vote.

ROLL CALL TO ADOPT RESOLUTION 2009-53: Lynaugh aye, Larsen aye, Busha aye, J. Johnson aye, Wright aye, G. Johnson aye, Jansen aye. Motion carried 7-0 vote.

OLD BUSINESS- Public Works Supervisor Stachowski informed the Board that the bid opening for the sale of the old skid steer. The highest bid came from Miller-Bradford in the amount of \$9,500.

Trustee J. Johnson mentioned that the “Hank Johnson Memorial Tree” has been purchased and will be planted before the July 3, 2009 Fireworks Celebration. The Johnson family will dedicate the tree to the Village of Sturtevant after the proclamation is read on July 3, 2009.

NEW BUSINESS- Trustee Busha mentioned that a company has agreed to allow the Village of Sturtevant to rent a carousel for the July 3, 2009 Fireworks, however, the owner does not have liability coverage.

The Board agrees allow the carousel to be covered under the Village of Sturtevant liability coverage on July 3, 2008.

Trustee J. Johnson mentioned that he would like to review the Personnel Policy Manual before making any decision in holding a Closed Session Meeting of the Administration, Personnel, Policy & Legal Committee to discuss the Building Inspector Vacancy.

Trustee Wright mentioned that he would like to discuss the topic of “Board of Health Proposal” at the Committee Meeting scheduled for June 23, 2009.

ADJOURN- Trustee Wright made a motion to adjourn at 7:20 PM. Seconded by G. Johnson. Motion carried by voice vote.

Drafted this 16th day of June, 2009
Approved this 7th day of July, 2009

Mary Hanstad, Clerk/Deputy Treasurer

TERMS AND CODITIONS/ CONDITIONAL USE PERMIT
AMENDMENT FOR ALLONE STORAGE LLC D/B/A
STURTEVANT SELF STORAGE

7-21-09

THAT THE REQUEST BY ALLONE STORAGE LLC D/B/A STURTEVANT SELF STORAGE SEEKING A CONDITIONAL USE PERMIT AMENDMENT TO OPERATE A TRUCK AND TRAILER RENTAL BUSINESS AND A COMPUTER REPAIR BUSINESS IN CONJUNCTION WITH AN EXISTING SELF STORAGE UNIT BUSINESS AT 1630 WISCONSIN STREET BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the letter and diagram dated 6-24-09 and presented to the Plan Commission on July 9, 2009 be approved subject to the conditions contained herein. That operations shall include the existing self storage unit business. Additional uses shall include the rental of truck and trailers. The total number of rental tucks and trailers shall not exceed 6 on the lot at any one time. No more than three rental tucks and trailers shall be parked in front as indicated on the submitted diagram at any one time. Any other rental tucks and trailers shall be parked in back of the office building. Additional uses shall include a computer repair services business which shall operate out of the existing office
- b. That all appropriate building and occupancy permits be requested from the Building Inspection Department.
- c. That a watchman associated with the business shall be allowed to continue to reside above the office area.
- d. That the maximum hours of operation shall be:
 - a. From 9:00a.m. to 3:00 p.m. Monday.
 - b. From 9:00a.m. to 2:00 p.m. Tuesday, Wednesday and Friday.
 - c. From noon to 6:00 p.m. Thursday.
 - d. From 10:00a.m. to 2:00 p.m. Saturday.
 - e. Business by scheduled appointments after hours and on Sundays from 9:00a.m to 8:00 p.m.

- e. That 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.
- f. That the parking area in front of the office shall be striped.
- g. That all yard areas, landscaping, buildings and grounds be inspected on a daily basis for garbage and trash and maintained.
- h. That all codes and ordinances be complied with and required permits acquired.
- i. 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.
- j. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- k. That the existing sign will be used. That all signs be professionally made, comply with the zoning ordinance requirements and be submitted for review and approval by the Village Administrator.
- l. 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.
- m. That the outside storage of junked vehicles, semi trailers, vehicle parts, materials and equipment be prohibited.
- n. Outdoor storage of vehicles is prohibited except for the outdoor storage of trucks and trailers that are actively being rented and licensed recreational vehicles in 8 stalls.
- o. That this permit shall terminate unless substantial work is commenced within 6 months of the granting of this permit.

- p. That Allone Storage LLC d/b/a Sturtevant Self Storage 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. Allone Storage LLC d/b/a Sturtevant Self Storage agree that no occupancy permits shall be issued until said payment is made to the Village.