

MINUTES

**TOWN OF YORKVILLE
TOWN BOARD
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, MARCH 27, 2017**

Call to Order

Town Board Chair Peter Hansen called the meeting to order at 6:00 p.m.

Roll Call

The following Town Board members were present: Peter Hansen, Sherry Gruhn and Terrence McMahon. Also present were Raymond Leffler representing Altamount Development, LLC, Code Enforcement Officer Terrence O'Brien, Engineer Mark Madsen, Attorney Tim Pruitt and Clerk-Treasurer Michael McKinney.

Approval of Minutes

Motion (McMahon, Gruhn) to approve the March 13, 2017 joint Town Board/Plan Commission meeting minutes as presented, Motion Carried (MC).

Approval of Town Invoices

Motion (Gruhn, McMahon) to approve payment of Town invoices as presented in the amount of \$32,376.22, MC.

Approval of Stormwater Invoices

Hansen noted that no Stormwater invoices were presented for payment.

No formal action was taken by the Town Board on this agenda item.

New and Unfinished Business – Discussion and possible action on all of the following:

Request from Altamount Development, LLC for a full release of the \$22,000.00 cash deposit held by the Town of Yorkville for the Woodland Waters subdivision

Raymond Leffler appeared on behalf of Altamount Development to request a full release of the \$22,000.00 cash deposit held by the Town of Yorkville for the Woodland Waters subdivision. Leffler, Pruitt and the Town Board discussed the improvements that were required for each outlot by the 2014 Amendment to the Woodland Waters Conservation Subdivision Stewardship Plan. Pruitt also discussed the responsibilities of the Seno K/RLT Conservancy as outlined in that plan as well as the actions that can be taken by the Town if that plan is not properly implemented. He noted that the Town still needs confirmation that the outlot improvements described in that plan have been fully implemented. He stated that a cash balance should continue to be held by the Town until it receives confirmation that all work has been completed. The Town Board also discussed the interest accrued on this deposit, which Pruitt noted could be withheld by the Town as was originally agreed upon in

the development agreement for this subdivision. McKinney noted that most of the interest originally accrued on this deposit was released to Altamount by the Town Board in 2014. Hansen questioned why this balance could not be released immediately if the homeowner's association is satisfied with the work that has been done to date, especially given that the Seno K/RLT Conservancy stated that they would not begin any assessment of the work completed within the subdivision's conservation easement areas until July.

Motion (Hansen, Gruhn) to do the following:

- ***To release to Altamount Development, LLC all but \$3,500.00 of its cash deposit held by the Town of Yorkville for the Woodland Waters subdivision, including accrued interest, upon the Town's receipt and review of documentation regarding the progress to date on the 2014 Amendment to the Woodland Waters Conservation Subdivision Stewardship Plan and the Town's satisfaction that such progress is nearing completion;***
- ***To release to Altamount Development, LLC the remaining balance of its cash deposit held by the Town of Yorkville for the Woodland Waters subdivision, including interest accrued since the Town's partial release of the cash deposit, upon the Town's receipt and review of documentation from the Seno K/RLT Conservancy or other qualified person or entity that all work required by the 2014 Amendment to the Woodland Waters Conservation Subdivision Stewardship Plan has been completed as required, MC.***

Stonecrest Shores subdivision 2016 baseline report results

The Town Board and Pruitt discussed the results of the Stonecrest Shores subdivision 2016 baseline report provided by the Seno K/RLT Conservancy. The Town Board agreed that Dan Neider, the Stonecrest Shores subdivision homeowner's association and the Seno K/RLT Conservancy should work together to come to an agreement on an updated plan of action to address the outstanding issues within this subdivision's conservation easement areas. The Town Board agreed to require this plan of action prior to their joint meeting with the Plan Commission on July 10, 2017.

Motion (McMahon, Gruhn) to instruct the Town's attorney and Clerk-Treasurer to draft a letter for distribution to Dan Neider, the Stonecrest Shores subdivision homeowner's association and the Seno K/RLT Conservancy requesting the following:

- ***That said parties hold a joint meeting to discuss the Seno K/RLT Conservancy's 2016 baseline report results for the Stonecrest Shores subdivision;***
- ***That said parties use those results to establish an updated plan of action agreed upon by all parties to address the outstanding issues within the Stonecrest Shores subdivision's conservation easement areas;***
- ***That said parties report back to the Town Board and Plan Commission on that plan of action, which shall be signed off on by said parties beforehand, at their joint meeting on July 10, 2017, MC.***

Request submitted by Bower Design and Construction, LLC for shoreland contract approval for the property located at 18528 Walden Drive (Parcel ID # 018-03-21-05-010-107) in the C-2 (Upland Resource Conservation) Zoning District to permit construction

of a four-bedroom single family residence at this address with an attached garage, full basement, covered porch and sun room within 1,000 feet of an un-named navigable pond

Madsen noted that the proposed yard grade elevation was about three feet higher than that on the subdivision's master grading plan to accommodate a partially exposed basement. He stated that the applicant offered to lower the proposed yard grade elevation to reduce the slope of the yard. He made several recommendations related to this application, which included the following:

- That silt fencing be installed along the limits of disturbance to contain sediment runoff
- That a 10'-wide by 50'-long gravel access driveway be installed to the property, with a minimum 6" depth of gravel that is 2" to 3" in diameter
- That a 15"-diameter culvert with endwalls be installed in the ditch line under the gravel access driveway
- That the plans provided be updated to show the limits of backfill on the property
- That the yard grade elevation be set at 768.7 feet

Motion (Gruhn, Hansen) to approve the request submitted by Bower Design and Construction, LLC for shoreland contract approval for the property located at 18528 Walden Drive (Parcel ID # 018-03-21-05-010-107) in the C-2 (Upland Resource Conservation) Zoning District to permit construction of a four-bedroom single family residence at this address with an attached garage, full basement, covered porch and sun room within 1,000 feet of an un-named navigable pond, with the following conditions:

- ***That silt fencing be installed along the limits of disturbance to contain sediment runoff;***
- ***That a 10'-wide by 50'-long gravel access driveway be installed to the property, with a minimum 6" depth of gravel that is 2" to 3" in diameter;***
- ***That a 15"-diameter culvert with endwalls be installed in the ditch line under the gravel access driveway;***
- ***That the plans provided be updated to show the limits of backfill on the property;***
- ***That the yard grade elevation be set at 768.7 feet, MC.***

Madsen and the Town Board discussed other issues related to properties within the Woodland Waters subdivision, including the condition of the property located at 18600 Walden Drive and the use of stamped concrete or brick retaining walls on established driveways within the Town's right-of-way, which are not permitted under Town ordinances. The Town Board discussed whether to contact the property owners involved to make them aware of the retaining wall issue.

Request submitted by Christopher and Katherine Krizek (with Newport Builders, Inc. as applicant) for shoreland contract approval for the property located at 18432 Walden Drive (Parcel ID # 018-03-21-05-010-104) in the C-2 (Upland Resource Conservation) Zoning District to permit construction of a single family residence with an attached garage, full basement and covered porch with no deck within 1,000 feet of an un-named navigable pond

McKinney noted that the Town has yet to receive any elevation data for this application.

Motion (Hansen, McMahan) to table this application indefinitely, MC.

Special Event Permit application submitted by John Henrichs and Mike Keeku for the Henrichs/Keeku Show Pig Sale, to be held in the Swine Barn at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 8:00 a.m. to 2:00 p.m. on Saturday, April 1, 2017

Motion (Gruhn, McMahan) to grant a Special Event Permit to John Henrichs and Mike Keeku for the Henrichs/Keeku Show Pig Sale, to be held in the Swine Barn at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 8:00 a.m. to 2:00 p.m. on Saturday, April 1, 2017, with no conditions, MC.

Special Event Permit application submitted by Callyn Hahn on behalf of Sullivan Supply for the Stock Show University – Wisconsin Grad Program, to be held in the Dairy Beef Barn at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 9:00 a.m. to 5:00 p.m. on Friday, May 5, 2017, from 9:00 a.m. to 5:00 p.m. on Saturday, May 6, 2017, and from 9:00 a.m. to 5:00 p.m. on Sunday, May 7, 2017

Motion (McMahan, Gruhn) to grant a Special Event Permit to Callyn Hahn on behalf of Sullivan Supply for the Stock Show University – Wisconsin Grad Program, to be held in the Dairy Beef Barn at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 9:00 a.m. to 5:00 p.m. on Friday, May 5, 2017, from 9:00 a.m. to 5:00 p.m. on Saturday, May 6, 2017, and from 9:00 a.m. to 5:00 p.m. on Sunday, May 7, 2017, with no conditions, MC.

Special Event Permit application submitted by Gordon Allen on behalf of the American Cancer Society for the Union Grove Relay for Life, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 5:00 p.m. on Friday, June 2, 2017, to 3:00 a.m. on Saturday, June 3, 2017

Motion (Gruhn, McMahan) to grant a Special Event Permit to Gordon Allen on behalf of the American Cancer Society for the Union Grove Relay for Life, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), from 5:00 p.m. on Friday, June 2, 2017, to 3:00 a.m. on Saturday, June 3, 2017, with no conditions, MC.

Westbrook Associated Engineers, Inc. proposal for 2017 bridge inspection services

Hansen noted that the Town budgeted \$1,895.00 for this inspection work in 2017 and added that Westbrook's proposal is for \$1,158.00.

Motion (McMahan, Gruhn) to approve the proposal submitted by Westbrook Associated Engineers, Inc. for 2017 bridge inspection services as presented in the amount of \$1,158.00, MC.

Resolution No. 2017-03 Amending the Town of Yorkville's 2016 Sewer Utility Fund Annual Budget

Motion (Gruhn, McMahan) to approve Resolution No. 2017-03 as presented, MC.

Electronic document management for Town records

McKinney noted that he was contacted by a company offering electronic document management services and asked whether the Town Board had any interest in digitizing any of the Town's records. The Town Board requested that McKinney find other companies offering similar services to determine what they would charge for creating such an electronic document management system.

No formal action was taken by the Town Board on this agenda item.

Reports

Code Enforcement Officer's Report: O'Brien reported to the Town Board on the following:

- That he has letters drafted and prepared to send to residents regarding a list of alleged code violations on various properties within the Town
- That he has been contacted by the Racine County Sheriff's Department regarding issues on the property located at 14017 Durand Avenue (STH 11)

Engineer's Report: Madsen reported to the Town Board on the following:

- That he was contacted by an individual interested in filing a certified survey map to increase the size of a property within the Stonecrest Shores subdivision
- That he is reviewing an application to install fiber optic line near a water main within the Town's right-of-way along Grandview Parkway

Yorkville Stormwater Utility District Report: Gruhn noted that she had no information to report to the Town Board.

Clerk's Report: McKinney reported to the Town Board on the following:

- That the Spring Election is on Tuesday, April 4
- That the Town's annual road inspection begins at 9:00 a.m. on Saturday, April 8 in the Union Grove Municipal Center parking lot
- That he was contacted by a company that helps municipalities make their websites compliant with the Americans with Disabilities Act. He added that he has contacted the Town's website designer about having him complete such upgrades, noting that these upgrades would cost approximately \$500.00. He stated that he would provide more information to the Town Board on this issue at a future meeting.

Other – Comments, questions and suggestions

McMahon noted that the Kenosha/Racine County Units of the Wisconsin Towns Association are holding a meeting on Thursday, April 6 at 7:00 p.m. at the Norway Town Hall.

Adjournment

Motion (Hansen, Gruhn) to adjourn, MC. The meeting was adjourned at 7:25 p.m. The next scheduled Town Board meeting is Monday, April 10, 2017, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer