

MINUTES

VILLAGE OF YORKVILLE
JOINT VILLAGE BOARD/PLAN COMMISSION
VILLAGE BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, MAY 14, 2018

Call to Order

Village Board President Peter Hansen called the meeting to order at 6:01 p.m.

Roll Call

The following Village Board members were present: Peter Hansen, Sherry Gruhn and Terrence McMahon. The following Plan Commission members were present: Peter Hansen, Sherry Gruhn, Douglas Nelson, Barbara Geschke, Robbie Funk and Dan Maurice. Also present were Dover Town Supervisor Sam Stratton, Lawrence Dempski, Ronak Patel representing Global Hotels, Eugene Bower representing Redstone Development Group, Nancy Washburn and Raymond Leffler representing Diversified Land Developers, Shawn Mayer, Sarah Mayer, Caroline Bergs, Jim Fox, Dan Minton, George Melonas, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Engineer Mark Madsen, Attorney Tim Pruitt, Clerk-Treasurer Michael McKinney and two unidentified attendees.

Approval of Minutes

Motion (McMahon, Gruhn) to approve the minutes of the March 12, 2018 joint Town Board/Plan Commission, March 26, 2018 joint Town Board/Plan Commission closed session, March 26, 2018 joint Town Board/Plan Commission, April 9, 2018 joint Village Board/Plan Commission, April 17, 2018 Village Board and April 23, 2018 Village Board meetings as presented, Motion Carried (MC).

Approval of Financial Reports

Motion (McMahon, Gruhn) to approve the April Village and Stormwater financial reports as presented, MC.

Approval of Village Invoices

Motion (Gruhn, McMahon) to approve payment of Village invoices as presented in the amount of \$77,919.72, MC.

Approval of Stormwater Invoices

Motion (McMahon, Gruhn) to approve payment of Stormwater invoices as presented in the amount of \$1,100.00, MC.

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

Preliminary inquiry by the Town of Dover regarding a proposed boundary agreement

Sam Stratton appeared before the Village Board to discuss this inquiry. He stated that the Town of Dover wishes to enter into a boundary agreement with Yorkville. He noted that this topic has been discussed at prior Dover annual elector meetings and was not opposed by those in attendance. He stated that Dover would pay the cost of the notices for both municipalities for this agreement. Pruitt recommended that the Village Board delay any consideration of this agreement until after the new Village Board is seated in June. He stated that both municipalities could also pursue a longer-term boundary plan, which is a more detailed and formal process than a boundary agreement but is a better way to address this issue in the long-term, since boundary agreements expire after ten years.

Motion (Hansen, McMahan) to table consideration of this request until after the June 25, 2018 Village Board meeting, MC.

Request submitted by the Racine County Board of Drainage Commissioners for shoreland contract approval for the properties located at 16900 Washington Avenue (STH 20), 16726 Washington Avenue (STH 20), 16650 50th Road, and for one unimproved parcel located between 50th Road and Washington Avenue (STH 20) (Parcel ID #'s 018-03-21-03-016-000, 018-03-21-10-009-000, 018-03-21-10-012-010 and 018-03-21-10-010-000) in the A-2 (General Farming and Residential II), C-1 (Resource Conservation) and M-4 (Quarrying) Zoning Districts to permit canal bank repair, de-brushing and obstruction removal within the shoreland jurisdiction of the West Branch of the Root River Canal

Motion (Gruhn, McMahan) to approve the shoreland contract submitted by the Racine County Board of Drainage Commissioners for the properties located at 16900 Washington Avenue (STH 20), 16726 Washington Avenue (STH 20), 16650 50th Road, and for one unimproved parcel located between 50th Road and Washington Avenue (STH 20) (Parcel ID #'s 018-03-21-03-016-000, 018-03-21-10-009-000, 018-03-21-10-012-010 and 018-03-21-10-010-000) in the A-2 (General Farming and Residential II), C-1 (Resource Conservation) and M-4 (Quarrying) Zoning Districts to permit canal bank repair, de-brushing and obstruction removal within the shoreland jurisdiction of the West Branch of the Root River Canal, with no conditions, MC.

Request for reconsideration of the April 9, 2018 conditions of approval of the certified survey map application submitted by the Lawrence E. Dempski Living Trust (with Shawn Mayer as applicant/agent) for the parcel located at 17808 58th Road (Parcel ID # 018-03-21-21-021-300) in the A-2 (General Farming and Residential II) Zoning District to permit division of this 49.83-acre parcel into a 34.337-acre parcel and a 15.493-acre remnant parcel

Lawrence Dempski appeared before the Village Board and Plan Commission to discuss this request. He stated that he felt that the deed restriction placed on his property as part of the approval of this application that prevents him from dividing the remnant parcel again was unfair, since the approval of this application benefited and alleviated a hardship for that individual. The Village Board and Plan Commission discussed whether this deed restriction created a hardship for the applicant, whether it should be lifted or modified and whether lifting this deed restriction would create a precedent for future proposals.

Motion (Geschke, Maurice) for the Plan Commission to reconsider the April 9, 2018 conditions of approval of this certified survey map application at their meeting on June 11, 2018, MC.

Motion (Gruhn, Hansen) for the Town Board to reconsider the April 9, 2018 conditions of approval of this certified survey map application at their meeting on June 11, 2018, motion carried with McMahon voting no.

Pre-application conference with Global Hotels representatives regarding a proposed lot line adjustment involving two parcels located at 904 South Sylvania Avenue (Parcel ID # 018-03-21-13-008-030) and 910 South Sylvania Avenue (Parcel ID # 018-03-21-13-008-040)

Ronak Patel appeared before the Village Board and Plan Commission to discuss this request. He stated that the purpose of this adjustment is to transfer parking spaces from the property located at 904 South Sylvania Avenue to the property located at 910 South Sylvania Avenue. He added that he planned to reduce the number of parking spaces for 904 South Sylvania Avenue to the minimum required by Racine County's zoning code, which is 35. Hansen asked how patrons for each establishment would know where to park. Patel stated that signage would be used to designate restaurant and hotel parking. Pruitt stated that while the proposed adjustment would comply with the County's zoning code, the Village Board and Plan Commission would need to approve a certified survey map for this adjustment, since it would take a parcel that does not conform with the Village's land division ordinances and would make it more nonconforming. The Village Board and Plan Commission did not have any objections to this proposal based upon the information provided.

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

Plan review request submitted by Redstone Development Group, LLC (with Christopher Bower as applicant/agent) for the parcel located at 1818 South Colony Avenue (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) and A-2 (General Farming and Residential II) Zoning Districts to permit construction of a 54-foot by 200-foot (10,800-square foot) commercial building, installation of an asphalt driveway and parking area, and improvement of stormwater drainage on the property

Madsen stated that while there are some outstanding technical issues with this plan, he did not have any concerns overall about the drainage and stormwater plans for this project. He noted that the drainage issues to the south may be the result of a damaged drain tile that would need to be inspected and replaced, if necessary. He stated that this proposed development would not fix the low spot on the property immediately to the south, adding that this development would not impact drainage. He noted that the proposed detention basin would not impact the property to the north, adding that the swale coming from the north would need to be rerouted around the proposed detention basin.

Motion (Geschke, Nelson) to recommend approval of the plan submitted by Redstone Development Group, LLC (with Christopher Bower as applicant/agent) for the parcel located at 1818 South Colony Avenue (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) and A-2 (General Farming and Residential II) Zoning Districts for construction of a 54-foot by 200-foot (10,800-square foot) commercial building, installation of an asphalt driveway and parking area, and improvement of stormwater

drainage on the property, with the condition that the Village Engineer provide final detailed review and approval of the stormwater and drainage plans submitted for this project prior to any permits being issued, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the plan submitted by Redstone Development Group, LLC (with Christopher Bower as applicant/agent) for the parcel located at 1818 South Colony Avenue (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) and A-2 (General Farming and Residential II) Zoning Districts for construction of a 54-foot by 200-foot (10,800-square foot) commercial building, installation of an asphalt driveway and parking area, and improvement of stormwater drainage on the property, with no additional conditions beyond those recommended by the Plan Commission, MC.

Pre-application conference with Diversified Land Developers representatives regarding a proposed subdivision involving three undeveloped parcels located adjacent to or near 50th Road (Parcel ID #'s 018-03-21-01-006-040, 018-03-21-01-006-030 and 018-03-21-01-006-010)

Nancy Washburn appeared before the Village Board and Plan Commission to discuss this request. She stated that this proposal is to take the existing three parcels at this location, totaling 87.13 acres, and to divide them into a subdivision of 25 buildable lots and two small outlots with ponds on them. She noted that the developer plans to request a waiver of the Village's land division ordinances requiring that all subdivisions be conservation subdivisions. She stated that access easements would be recorded and wetlands delineated within this proposed subdivision. She noted that property use restrictions would be established within the subdivision. She stated that homeowners would be responsible for maintaining the ponds within the subdivision and would have common ownership over those outlot parcels. She noted that under the Village's current ordinances, this subdivision could only have 16 buildable parcels, based upon the Village's open space requirements. Washburn stated that this proposed subdivision would be a better alternative than a conservation subdivision because it eliminates the need for maintenance for large areas of open space.

Pruitt stated that many municipalities now provide incentives for developers that opt to establish conservation subdivisions. He noted that some municipalities now require that all infrastructure be installed prior to approval of the final plat request. He stated that the Village Board and Plan Commission cannot grant a waiver of the Village's land division ordinances relating to conservation subdivisions until such time as a plat application is submitted for review. Funk stated that he prefers that each parcel be a minimum of three acres in size with a minimum of 250 feet of road frontage. Washburn stated that the Pruitt stated that the minimum subdivision lot size in the Village's land division ordinances is one acre. Washburn stated that each parcel will have its own well and septic system. She added that Village access to the East Branch of the Root River Canal could be included within the subdivision's covenants and deed restrictions.

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

Racine County floodplain, shoreland, wetland, planning and zoning professional services agreement

Pruitt stated that Racine County's corporation counsel approved this agreement. McKinney stated that the fees collected as part of this agreement should fall between those charged by Racine County for their applications and those charged by Racine County on behalf of the Village of Caledonia for Caledonia's applications.

Motion (Hansen, McMahon) to approve the Racine County floodplain, shoreland, wetland, planning and zoning professional services agreement as presented, and to adopt Racine County's fee schedule for these services, with a twenty-five percent increase to the application fees within that schedule for all residential, commercial, recreational, institutional and industrial zoning permits, and a twenty-five percent increase for all miscellaneous zoning permits within that schedule, with the exception of permit fees for mobile service facilities, MC.

Resolution No. 2018-07 Approving the professional services agreement with Racine County for zoning related services

Motion (Gruhn, McMahon) to adopt Resolution No. 2018-07 as presented, MC.

Resolution No. 2018-08 Authorizing a public hearing to be held on proposed Ordinance No. 2018-04 relating to zoning and the creation of a Board of Appeals, and seeking recommendation of the Plan Commission as to said Ordinance

Pruitt stated that the Board of Appeals would consist of five regular members and two alternate members.

Motion (McMahon, Gruhn) to adopt Resolution No. 2018-08 as presented, MC.

Plan Commission membership

McMahon stated that he would like the Village Board and Plan Commission to continue to hold joint meetings. He asked whether the membership of the Plan Commission could be reduced from seven to five members. Pruitt recommended that when holding public hearings on rezoning and conditional use applications, the Village Board and Plan Commission should consider tabling any action on those requests until the next meeting to provide an opportunity to establish a rationale for their decision on applications.

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

Resolution No. 2018-09 Designating and appointing a resident to the Yorkville Plan Commission

Hansen stated that this resolution would appoint Aaron Alby as a Plan Commissioner.

Motion (Hansen, McMahon) to adopt Resolution No. 2018-09 as presented, MC.

Ordinance No. 2018-03 Creating Article II, Section 50-31 of the Code of Ordinances for the Village of Yorkville prohibiting the use of motor vehicle compression or engine braking

Motion (Hansen, Gruhn) to adopt Ordinance No. 2018-03 as presented, MC.

Village Board compensation and expense reimbursement

Pruitt stated that the current Village Board should set the salary for the incoming Village Board before they are elected. The Village Board discussed several salary proposals for incoming Village Board members, including the following:

- Option 1: Village President, \$10,760.00 per year; Village Trustee, \$6,400.00 per year
- Option 2: Village President, \$12,370.00 per year; Village Trustee, \$9,300.00 per year
- Option 3: Village President, \$11,370.00 per year, Village Trustee, \$7,500.00 per year

Motion (Hansen, Gruhn) to adopt the following salaries for elected Village officials, effective June 25, 2018:

- ***Village President, \$11,370.00 per year;***
- ***Village Trustee, \$7,500.00 per year, MC.***

The Village Board also discussed updating the amounts paid to Village Board members for expense reimbursement.

Motion (Hansen, Gruhn) to adopt the following expense reimbursements for elected Village officials, effective June 25, 2018:

- ***Village President, \$1,140.00 per year;***
- ***Village Trustee, \$765.00 per year, MC.***

2018 road tour report

McMahon discussed the potential reconstruction of 67th Drive between Plank Road (CTH A) and Spring Street (CTH C). He stated that several locations are in need of road shoulder repair.

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

Crack Filling Service quote for road crack filling

McMahon discussed several quotes totaling \$38,500.00 that were provided by Crack Filling Service for Town road crack filling, including the following:

- 50th Road from Raymond Avenue (CTH U) east to North Sylvania Avenue - \$3,500.00
- 59th Drive from Spring Street (CTH C) south to 58th Road - \$9,000.00
- Acorn Trail - \$7,500.00
- 51st Drive from Spring Street (CTH C) south to 58th Road - \$1,500.00
- Evans Lane, Fawn Trail, Deer Path, Alexandra Drive and Marina Drive - \$5,000.00

- East half of Braun Road - \$1,000.00
- 69th Drive from Durand Avenue (STH 11) south to County Line Road (CTH KR) (including Union Grove's portion) - \$7,500.00
- 61st Drive from Plank Road (CTH A) south to Spring Street (CTH C) - \$3,500.00

The Village Board discussed splitting the cost of crack filling work on 69th Drive with the Village of Union Grove.

Motion (McMahon, Hansen) to approve all crack filling quotes provided by Crack Filling Service for 2018, with the exception of half of the quote for 69th Drive, totaling \$34,750.00, MC.

Quote for 53rd Drive road damage repair

McMahon stated that he will contact Fahrner Asphalt Sealers to request a quote for wedging repair work on 53rd Drive.

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

57th Drive request for "Slow Down" signage

Hansen stated that he received a complaint regarding the volume and speed of traffic traveling on 57th Drive. He noted that 57th Drive and Braun Road should both have speed studies conducted on them and the speed limits on those roads eventually reduced.

Motion (Hansen, Gruhn) to proceed with a speed study on 57th Drive to be conducted by Traffic Engineering Services, MC.

Poclain Hydraulics construction access request

Hansen stated that he and Madsen plan to meet tomorrow with Poclain Hydraulics representatives regarding their request for construction traffic related to Poclain's planned facility expansion to access Grandview Parkway at a location other than that currently used by Poclain employees. Madsen stated that the curb at the proposed construction driveway location would need to be replaced. After discussion of this request, the Village Board felt that Poclain should post a bond to pay for any potential damages to the road related to this request.

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

ASDA quote for collection site compactor repairs

McKinney stated that ASDA informed him that the compactor floor, plunger and rails are wearing out and require repair. He noted that the quoted cost for repairing the compactor is approximately \$5,000.00 to \$6,000.00, adding that the cost of purchasing a new compactor would be \$22,000.00. He stated that it would take approximately two weeks to complete these repairs, adding that ASDA would keep a garbage truck with a compactor on site for the Village's use during that time at no charge.

Motion (McMahon, Hansen) to authorize ASDA to proceed with repairs to the Village's collection site compactor at an estimated cost of \$5,000.00 to \$6,000.00, MC.

Quotes for Village office sign replacement

McKinney stated that he has not received any quotes for replacement of the Village's office signage. McMahon requested that McKinney look into the installation of population signage at entry points into the Village.

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

Dog licensing update and licensing migration fee

McKinney stated that the cost of migrating dog licensing data from the Village's dog licensing software to a cloud-based system would be \$800.00. He noted that the Village issues approximately 325 dog licenses annually, adding that each record would need to be manually entered into the new system if the Village opted against proceeding with the data migration. He stated that the cost of the dog licensing software would not change as a result of this update.

Motion (McMahon, Gruhn) to authorize payment of \$800.00 for migrating dog licensing data into the Village's new dog licensing software platform, MC.

License and permit applications submitted by Matt Peterson on behalf of Bronco Select for the Bronco Select Pig Roast Fundraiser, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Saturday, May 19, 2018, from 3:00 p.m. to 11:00 p.m., including the following applications:

- **Special Event Permit**
- **Temporary Class "B" License to sell fermented malt beverages at the Racine County Fairgrounds Activity Building**
- **Temporary Operator Licenses**
 - **Kari Katterhagen**
 - **Robert Katterhagen**
 - **Scott Katterhagen**
 - **Brian Van Swol**
 - **Dawn Van Swol**

Motion (Gruhn, McMahon) to grant all licenses and permits applied for by Matt Peterson on behalf of Bronco Select for the Bronco Select Pig Roast Fundraiser, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Saturday, May 19, 2018, from 3:00 p.m. to 11:00 p.m., with no conditions, MC.

License and permit applications submitted by Glen Cayemberg on behalf of the Union Grove Lions Club for the Union Grove Lions Club Chicken BBQ and Car Show, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Sunday, June 3, 2018, from 6:00 a.m. to 6:00 p.m., including the following applications:

- **Special Event Permit**

- Temporary Class “B” License to sell fermented malt beverages at the Racine County Fairgrounds Activity Building and fenced outdoor area
- Temporary Operator Licenses
 - William Schauer
 - Giles Williams

Motion (McMahon, Gruhn) to grant all licenses and permits applied for by Glen Cayemberg on behalf of the Union Grove Lions Club for the Union Grove Lions Club Chicken BBQ and Car Show, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Sunday, June 3, 2018, from 6:00 a.m. to 6:00 p.m., 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 6:00 p.m. on Friday, June 8, 2018, to 2:00 a.m. on Saturday, June 9, 2018

Motion (McMahon, Gruhn) 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 6:00 p.m. on Friday, June 8, 2018, to 2:00 a.m. on Saturday, June 9, 2018, with no conditions, MC.

Reports

Building Inspector’s Report: The Building Inspector was not present to provide his report to the Village Board.

Motion (Gruhn, McMahon) to approve and file the Building Inspector’s report as presented, MC.

Engineer’s Report: Madsen reported to the Village Board on the following:

- That his office is reviewing documents related to this year’s road construction projects
- That he conducted a site visit on Braun Road to investigate a drainage-related complaint
- That he needs further guidance on how large a parcel would need to be before the Village Board and Plan Commission would not require that said parcel be displayed on a certified survey map

Yorkville Stormwater Utility District Report: Stephen Nelson noted that he had no information to report to the Village Board.

Clerk’s Report: McKinney reported to the Village Board on the following:

- That the Central Racine County Health Department’s annual report will be presented to the Village Board on May 29
- That the nomination paper filing deadline for the June 12 Village Board election is tomorrow at 5:00 p.m.
- That absentee voting for the June 12 Village Board election begins on May 29
- That the Greater Union Grove Area Chamber of Commerce scheduled a candidate’s

forum in advance of the June 12 Village Board election at Union Grove High School on May 23 at 6:00 p.m.

- That WE Energies is currently investigating two potential routes for a proposed 24-inch natural gas lateral running through or adjacent to Yorkville
- That the Village's existing waste and recycling collection services agreement with ASDA expires on August 31
- That the proposed Wisconsin Department of Transportation's Washington Avenue (STH 20) bridge replacement project will likely include abandonment of the east access of Old Yorkville Road to STH 20
- That the following requests will appear on the June 11 joint Village Board/Plan Commission meeting agenda:
 - 18917 Spring Street (CTH C) land use plan amendment and rezoning
 - 15941 Durand Avenue (STH 11) certified survey map and rezoning
 - 2300 North Sylvania Avenue conditional use permit modification
 - 1909 53rd Drive site plan

Other – Comments, questions and suggestions

Dan Minton discussed the expiring waste and recycling collection services agreement and asked whether the Village could ask for a new compactor included with a new agreement. Douglas Nelson asked about the status of the new business occupying the property located at 2118 North Sylvania Avenue.

Adjournment

Motion (Gruhn, McMahon) to adjourn, MC. The meeting was adjourned at 8:50 p.m. The next scheduled Village Board meeting is Tuesday, May 29, 2018, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer