

## MINUTES

VILLAGE OF YORKVILLE  
JOINT VILLAGE BOARD/PLAN COMMISSION  
VILLAGE BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, MARCH 11, 2019

### Pledge of Allegiance

Village Board President Sherry Gruhn conducted the Pledge of Allegiance.

### Call to Order

Village Board President Sherry Gruhn called the meeting to order at 6:00 p.m.

### Roll Call

The following Village Board members were present: Sherry Gruhn, Robert Funk, Daniel Maurice, Terrence McMahon and Steve Nelson. The following Plan Commission members were present: Sherry Gruhn, Douglas Nelson, Barbara Geschke, Aaron Alby and Cory Bartlett. Also present were Peter Eitel representing H&H Fairway Enterprises, R.G. Keller representing Keller Architectural Design, Fermin Gonzales representing Wills RV, Dragan Radeta representing In Auto, Gregory Scovitch representing Hillwood Enterprises, Joseph Bergs, Greg Reesman representing Reesman's Excavating & Grading, Terrence O'Brien, Jonathon Sadowski representing the Racine Journal Times, Attorneys Christopher Geary and Tyler Helsel, Engineer Mark Madsen, Clerk-Treasurer Michael McKinney and approximately fifteen unidentified attendees.

### Public Comments, Questions and Suggestions

No public comments, questions or suggestions were provided.

### Approval of Minutes

***Motion (S. Nelson, Funk) to approve the February 25, 2019 and March 5, 2019 Village Board meeting minutes as presented, Motion Carried (MC).***

### Approval of Financial Reports

***Motion (McMahon, Maurice) to approve the February Village and Stormwater financial reports as presented, MC.***

### Approval of Village Invoices

***Motion (McMahon, Funk) to approve payment of Village invoices as presented in the amount of \$203,109.87, MC.***

## Approval of Stormwater Invoices

***Motion (S. Nelson, Maurice) to approve payment of Stormwater invoices as presented in the amount of \$28,689.61, MC.***

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

Site plan application submitted by Racine County (with Keller Architectural Design, LLC/Ramiro Romo as applicant/agent) for the parcel located at 14101 Washington Avenue (STH 20) (Parcel ID # 194-03-21-13-007-000) in the P-2 (Recreational Park) Zoning District to allow for the construction of an approximately 9,970-square foot clubhouse and covered driving range at the location of an existing driving range

Madsen noted that Village water and sewer service will need to be extended to this facility.

***Motion (D. Nelson, Geschke) to recommend approval of the site plan application submitted by Racine County (with Keller Architectural Design, LLC/Ramiro Romo as applicant/agent) for the parcel located at 14101 Washington Avenue (STH 20) (Parcel ID # 194-03-21-13-007-000) in the P-2 (Recreational Park) Zoning District to allow for the construction of an approximately 9,970-square foot clubhouse and covered driving range at the location of an existing driving range, with the following conditions:***

- 1. Zoning Permit. The applicant must obtain a zoning permit card from the Racine County Development Services Office after paying a zoning permit fee of \$600.00. This card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.***
- 2. Compliance. Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit.***
- 3. Binding Effect. These conditions bind and are applicable to the Property Owner, Applicant, and agents of the Property Owner (collectively referred to herein as "Applicant" or "Property Owner") with respect to the uses on the Property.***
- 4. Compliance with Previous Conditions of Approval. All applicable conditions from previous approvals shall remain in effect, unless otherwise amended herein.***
- 5. Expiration. This approval will expire nine (9) months from the date of the Village of Yorkville's final approval unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the Village of Yorkville grants a written extension. Written extension requests must be submitted to the Racine County Development Services Office thirty (30) days before permit/approval expiration.***
- 6. Plans. The proposed project shall be located, constructed, and utilized in accordance with the plans and documents received by the Racine County Development Services Office on February 22, 2019, unless otherwise amended herein.***

7. **Permits Required for Future Buildings.** Any future buildings will require prior approval and permits from the Village of Yorkville and Racine County, as agent for the Village of Yorkville.
8. **Performance Standards.** The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances (copy attached).
9. **Property Requirements.** This site must be kept neat and orderly at all times, with all refuse dumpsters out of view of passersby. All disposed items must be done in an environmentally safe manner. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining, and pruning all landscape planting areas; cleaning up litter and emptying trash containers in a timely fashion; sweeping, cleaning, and repairing paved surfaces; replacing broken and vandalized parts; replacing burned out light bulbs; and cleaning, painting, and repairing windows and building facade.
10. **Operation Requirements.** The operation shall not locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash or be harmful to human, animal, plant or aquatic life. Any oil or other hazardous fluids must be stored in a designated containment area that complies with all Wisconsin Department of Natural Resources (WI-DNR) regulations.
11. **Building Exterior.** The exterior colors of this building, including doors, shall be the same as or shall be in harmony with the exterior colors of the existing buildings on this site.
12. **Exterior Lighting.** All exterior lighting must be energy efficient and must be located, oriented, and of an intensity to illuminate only the building site or lot without detrimentally affecting activity on adjacent sites or lots or traffic on streets or highways.
13. **Signs.** Any advertising sign on this property must conform to Racine County Ordinance standards and will require a separate zoning permit(s) prior to installation. Contact the Racine County Development Services Office at 262-886-8440 for further information regarding sign permits.
14. **Parking.** Parking must be provided as shown on the submitted site plan. Each automobile parking space must be a minimum of nine feet wide and 180 square feet in area, exclusive of the space required for ingress and egress. Handicapped spaces must be provided in accordance with State requirements. Aisles and spaces must be clearly marked. The driveways serving this operation must be located according to the submitted plan. The driveways and all parking areas must be maintained in an all-weather, dust-controlled condition.
15. **Outside Storage.** Except for the vehicle parking area as shown on the submitted plans, outside storage is prohibited, and this property must be kept free of any

**accumulation of refuse or debris. Refuse bins and/or scrap material (recycle) bins must be screened from public view. This includes the Village of Yorkville's prohibition on the outside storage of aged vehicles, wrecked vehicles, or parts vehicles.**

- 16. Stormwater Requirements. The property owner or designated agent must contact the Village of Yorkville regarding stormwater regulations for the site Compliance with all regulations and requirements, as determined by the Village of Yorkville is required.**
- 17. Drain Tiles. Do not break or damage any underground tile. If encountered, any underground agricultural tile line must be rerouted or fixed. If any underground tile is encountered that has anything but clean water flowing through it, contact Racine County Development Services at (262) 886-8440 to investigate.**
- 18. Erosion Control. To help prevent sediment from entering onto an abutting property, drainage way, or road ditch, prior to any earth disturbance activities, temporary diversions must be installed as directed by the Village Engineer.**
- 19. Construction. During construction, this site must have graveled roads, access drives, and/or parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road must be removed by street cleaning (not flushing) before the end of each work day or as determined by the jurisdictional highway authority.**
- 20. Access. The applicant must allow any Racine County or Village employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.**
- 21. Compliance with Law. The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state and federal regulations.**
- 22. Amendments to Conditional Use Permit. No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Yorkville's prior approval. All addition, deletion, and/or change requests must be submitted to the Village of Yorkville or the Racine County Development Services office in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.**
- 23. Liability. Racine County and the Village of Yorkville does not warrant that the plans for this project are functionally and/or structurally adequate. Racine County and the Village of Yorkville does not certify that the design is adequate for this site and Racine County and the Village of Yorkville accepts no liability through this approval.**
- 24. Reimburse Village Costs. Applicant shall reimbursement to the Village all costs incurred by the Village for review of this conditional use including but not limited**

*to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.*

**25. Agreement.** *Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Racine County, Keller Architectural Design, LLC, R.G. Keller, Ramiro Romo, their heirs, successors, and assigns are responsible for full compliance with the above conditions.*

**26. Subsequent Owners.** *It is the property owner's responsibility to inform any subsequent owner or operator of these conditions, MC.*

***Motion (Funk, McMahon) to accept the Plan Commission's recommendation and to approve the site plan application submitted by Racine County (with Keller Architectural Design, LLC/Ramiro Romo as applicant/agent) for the parcel located at 14101 Washington Avenue (STH 20) (Parcel ID # 194-03-21-13-007-000) in the P-2 (Recreational Park) Zoning District to allow for the construction of an approximately 9,970-square foot clubhouse and covered driving range at the location of an existing driving range, with no additional conditions beyond those recommended by the Plan Commission, MC.***

**Site plan application submitted by In Auto, Inc. (with Wills RV/Fermin Gonzales as applicant/agent) for the parcel located at 2300 North Sylvania Avenue (Parcel ID # 194-03-21-01-018-000) in the M-3 (Heavy Industrial) Zoning District to allow for the occupancy of a portion of the existing building and site with a recreational vehicle repair and maintenance business known as Wills RV**

Fermin Gonzales stated that no recreational vehicle sales will take place at this location, adding that some vehicles will be stored outside while waiting for service or potentially on a more long-term basis. Geary discussed Racine County's overview of this application, noting that the County's opinion regarding this request is that it was not allowed by the underlying zoning district or through the conditional use process.

***Motion (Geschke, Alby) to recommend approval of the site plan application submitted by In Auto, Inc. (with Wills RV/Fermin Gonzales as applicant/agent) for the parcel located at 2300 North Sylvania Avenue (Parcel ID # 194-03-21-01-018-000) in the M-3 (Heavy Industrial) Zoning District to allow for the occupancy of a portion of the existing building and site with a recreational vehicle repair and maintenance business known as Wills RV, with the following conditions:***

- 1. Zoning Permit.** *The applicant or project manager must obtain a zoning permit card from this office after paying the zoning permit fee of \$156.25. This card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.*
- 2. Compliance.** *Failure to comply with the terms and conditions stated herein could result in citations being issued and/or the approval/permit being revoked.*

3. **Expiration.** *This approval will expire nine (9) months from the date of the Economic Development and Land Use Planning Committee's final approval, or the Village of Yorkville final approval, whichever is later, unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the EDLUPC and Village of Yorkville grants a written extension. Written extension requests must be submitted to the Racine County Development Services Office thirty (30) days before permit/approval expiration.*
4. **Compliance with Previous Conditions of Approval.** *All applicable conditions from previous approvals shall remain in effect, unless otherwise amended herein.*
5. **Binding Effect.** *These conditions bind and are applicable to the Property Owner, Applicant, and agents of the Property Owner (collectively referred to herein as "Applicant" or "Property Owner") with respect to the uses on the Property.*
6. **Plans.** *The proposed project shall be located, constructed, and utilized in accordance with the plans and documents received by the Racine County Development Services Office on February 13, 2019, unless otherwise amended herein.*
7. **Performance Standards.** *The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances (copy attached).*
8. **Plan Commission.** *The Village of Yorkville Plan Commission reserves the right to require the owner to appear before the Committee to address substantiated complaints involving this operation. The Village of Yorkville Plan Commission may direct the owner to implement possible corrective measures to address the complaints. The Conditional Use Permit could be subject to revocation proceedings if substantiated complaints are not addressed by corrective measures.*
9. **Access.** *The applicant must allow any Village or Racine County employee full and unlimited access to the project site at a reasonable time to investigate the project's construction 20, Zoning, Racine County Code of Ordinances (copy attached).*
10. **Vehicles.** *All vehicles parked on this property must be kept in neat and orderly manner as shown on the plans received by the Racine County Development Services Office dated February 13, 2019. No junk or salvage vehicles, vehicle parts, or material is permitted to be stored on this site.*
11. **Operation Requirements.** *This operation shall not locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gas, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash or be harmful to human, animal, plant, or aquatic life. Any oil or other hazardous fluids must be stored in a designated containment area that complies with all Wisconsin Department of Natural Resources (WI-DNR) regulations.*

- 12. Air Pollution. This project must comply with State of Wisconsin air pollution regulations.**
- 13. Exterior Lighting. All exterior lighting must be energy efficient and must be located, oriented, and of an intensity to illuminate only the building site or lot without detrimentally affecting activity on adjacent sites or lots or traffic on streets or highways.**
- 14. Property Requirements. A complete and thorough maintenance program must be established to insure attractiveness. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining, and pruning all landscape planting areas; cleaning up litter and emptying trash containers in a timely fashion; sweeping, cleaning, and repairing paved surfaces; replacing broken and vandalized parts; replacing burned out light bulbs; and cleaning, painting, and repairing windows and building facade. This property must be kept free of any accumulation of refuse or debris. Refuse bins must be screened from public view.**
- 15. Dust Control. The driveway and all parking areas must be maintained in an all-weather, dust-controlled condition.**
- 16. Signs. Any advertising sign on this property must conform to the Racine County Ordinance standards and will require a separate zoning permit(s) prior to installation.**
- 17. Access. The applicant must allow any Village or Racine County employee full and unlimited access to the project site at a reasonable time to investigate the project's construction.**
- 18. Compliance with Law. The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state and federal regulations.**
- 19. Amendments to Conditional Use Permit. No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Yorkville's prior approval. All addition, deletion, and/or change requests must be submitted to the Village of Yorkville or the Racine County Development Services office in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.**
- 20. Liability. Racine County and the Village of Yorkville does not warrant that the plans for this project are functionally and/or structurally adequate. Racine County and the Village of Yorkville does not certify that the design is adequate for this site and Racine County and the Village of Yorkville accepts no liability through this approval.**
- 21. Reimburse Village Costs. Applicant shall reimbursement to the Village all costs incurred by the Village for review of this conditional use including but not limited**

***to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.***

***22. Agreement. Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, IN Auto Inc, Dragan Radeta, Fermin Gonzales, their heirs, successors, and assigns are responsible for full compliance with the above conditions.***

***23. Subsequent Owners. It is the property owner's responsibility to inform any subsequent owner or operator of these conditions, MC.***

***Motion (McMahon, Maurice) to accept the Plan Commission's recommendation and to approve the site plan application submitted by In Auto, Inc. (with Wills RV/Fermin Gonzales as applicant/agent) for the parcel located at 2300 North Sylvania Avenue (Parcel ID # 194-03-21-01-018-000) in the M-3 (Heavy Industrial) Zoning District to allow for the occupancy of a portion of the existing building and site with a recreational vehicle repair and maintenance business known as Wills RV, with no additional conditions beyond those recommended by the Plan Commission, MC.***

**Public Hearing** - The Village Board and Plan Commission held a joint public hearing to hear public comment on a conditional use application submitted by Hillwood Enterprises, LP (with Donald Schoenheider as applicant/agent) for the vacant 46.45-acre parcel located immediately to the west of 1800 South Sylvania Avenue and 2000 South Sylvania Avenue (Parcel ID # 194-03-21-24-001-034) in the M-3 (Heavy Industrial) Zoning District to allow for the construction of two approximately 193,740-square foot speculative industrial/warehouse/distribution buildings on the northern half of this property

Gruhn opened the public hearing at 6:24 p.m.

Gregory Scovitch stated that each of these proposed facilities could be configured to accommodate several smaller occupants or one large occupant. Madsen stated that he has reviewed the plans for this proposed development, adding that the main issues that will need to be resolved are related to stormwater quality and water and sewer facilities. Geary stated that this proposed development would not require a development agreement.

Joseph Bergs asked whether the Village's water and sewer utilities have enough capacity to accommodate such a development.

With no other comments forthcoming, Gruhn closed the public hearing at 6:35 p.m.

**Conditional use application submitted by Hillwood Enterprises, LP (with Donald Schoenheider as applicant/agent) for the vacant 46.45-acre parcel located immediately to the west of 1800 South Sylvania Avenue and 2000 South Sylvania Avenue (Parcel ID # 194-03-21-24-001-034) in the M-3 (Heavy Industrial) Zoning District to allow for the construction of two approximately 193,740-square foot speculative industrial/warehouse/distribution buildings on the northern half of this property**



**Motion (Geschke, Bartlett) to recommend approval of the conditional use application submitted by Hillwood Enterprises, LP (with Donald Schoenheider as applicant/agent) for the vacant 46.45-acre parcel located immediately to the west of 1800 South Sylvania Avenue and 2000 South Sylvania Avenue (Parcel ID # 194-03-21-24-001-034) in the M-3 (Heavy Industrial) Zoning District to allow for the construction of two approximately 193,740-square foot speculative industrial/warehouse/distribution buildings on the northern half of this property, with the following conditions:**

- 1. Zoning Permit. The applicant must obtain a zoning permit from the Racine County Development Services Office for each industrial building after paying the zoning permit fee of \$1,750.00 (\$3,500.00 total). Please note: The zoning permits are for the construction of the industrial buildings only, not occupancy. The cards must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.**
- 2. Tenants. Each tenant of either industrial building must at a minimum obtain site plan review approval from the Village of Yorkville Plan Commission prior to occupying the site. Each tenant must contact the Racine County Development Services Department at (262)-886-8440 to inquire about occupancy requirements.**
- 3. Compliance. Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit.**
- 4. Binding Effect. These conditions bind and are applicable to the Property Owner, Applicant, and agents of the Property Owner (collectively referred to herein as "Applicant" or "Property Owner") with respect to the uses on the Property.**
- 5. Expiration. This approval will expire nine (9) months from the date of the Village of Yorkville's final approval unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the Village of Yorkville grants a written extension. Written extension requests must be submitted to the Racine County Development Services Office thirty (30) days before permit/approval expiration.**
- 6. Plans. The proposed project shall be located, constructed, and utilized in accordance with the plans and documents received by the Racine County Development Services Office on February 11, 2019, unless otherwise amended herein.**
- 7. Permits Required for Future Buildings. Any future buildings or additions will require prior approval and permits from the Village of Yorkville and Racine County, as agent for the Village of Yorkville.**
- 8. Performance Standards. The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances (copy attached).**
- 9. Property Requirements. This site must be kept neat and orderly at all times, with all refuse dumpsters out of view of passersby. All disposed items must be done**

*in an environmentally safe manner. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining, and pruning all landscape planting areas; cleaning up litter and emptying trash containers in a timely fashion; sweeping, cleaning, and repairing paved surfaces; replacing broken and vandalized parts; replacing burned out light bulbs; and cleaning, painting, and repairing windows and building facade.*

- 10. Operation Requirements.** *The operation shall not locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash or be harmful to human, animal, plant or aquatic life. Any oil or other hazardous fluids must be stored in a designated containment area that complies with all Wisconsin Department of Natural Resources (WI-DNR) regulations.*
- 11. Exterior Lighting.** *All exterior lighting must be energy efficient and must be located, oriented, and of an intensity to illuminate only the building site or lot without detrimentally affecting activity on adjacent sites or lots or traffic on streets or highways.*
- 12. Signs.** *Any advertising sign on this property must conform to Racine County Ordinance standards and will require a separate zoning permit(s) prior to installation. Contact the Racine County Development Services Office at 262-886-8440 for further information regarding sign permits.*
- 13. Parking.** *Parking must be provided as shown on the submitted site plan. Each automobile parking space must be a minimum of nine feet wide and 180 square feet in area, exclusive of the space required for ingress and egress. Handicapped spaces must be provided in accordance with State requirements. Aisles and spaces must be clearly marked. The driveways serving this operation must be located according to the submitted plan. The driveways and all parking areas must be maintained in an all-weather, dust-controlled condition.*
- 14. Outside Storage.** *Except for the vehicle parking area as shown on the submitted plans, outside storage is prohibited, and this property must be kept free of any accumulation of refuse or debris. Refuse bins and/or scrap material (recycle) bins must be screened from public view. This includes the Village of Yorkville's prohibition on the outside storage of aged vehicles, wrecked vehicles, or parts vehicles.*
- 15. Stormwater Requirements.** *The property owner or designated agent must contact the Village of Yorkville regarding stormwater regulations for the site. Compliance with all regulations and requirements, as determined by the Village of Yorkville is required.*
- 16. Drain Tiles.** *Do not break or damage any underground tile. If encountered, any underground agricultural tile line must be rerouted or fixed. If any underground tile is encountered that has anything but clean water flowing through it, contact Racine County Development Services at (262) 886-8440 to investigate.*

- 17. Erosion Control.** *To help prevent sediment from entering onto an abutting property, drainage way, or road ditch, prior to any earth disturbance activities, temporary diversions must be installed as directed by the Village Engineer.*
- 18. Construction.** *During construction, this site must have graveled roads, access drives, and/or parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road must be removed by street cleaning (not flushing) before the end of each work day or as determined by the jurisdictional highway authority.*
- 19. Access.** *The applicant must allow any Racine County or Village employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.*
- 20. Compliance with Law.** *The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state and federal regulations.*
- 21. Amendments to Conditional Use Permit.** *No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Yorkville's prior approval. All addition, deletion, and/or change requests must be submitted to the Village of Yorkville or the Racine County Development Services office in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.*
- 22. Liability.** *Racine County and the Village of Yorkville does not warrant that the plans for this project are functionally and/or structurally adequate. Racine County and the Village of Yorkville does not certify that the design is adequate for this site and Racine County and the Village of Yorkville accepts no liability through this approval.*
- 23. Reimburse Village Costs.** *Applicant shall reimbursement to the Village all costs incurred by the Village for review of this conditional use including but not limited to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.*
- 24. Agreement.** *Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Hillwood Enterprises, LP, Donald Schoenheider, their heirs, successors, and assigns are responsible for full compliance with the above conditions.*
- 25. Subsequent Owners.** *It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.*

**26. Engineer Review. Prior to the issuance of any building or zoning permits related to this approved use, the applicant shall submit updated plans to the Village for the Village Engineer's review and approval at the applicant's expense, MC.**

***Motion (S. Nelson, McMahon) to accept the Plan Commission's recommendation and to approve the conditional use application submitted by Hillwood Enterprises, LP (with Donald Schoenheider as applicant/agent) for the vacant 46.45-acre parcel located immediately to the west of 1800 South Sylvania Avenue and 2000 South Sylvania Avenue (Parcel ID # 194-03-21-24-001-034) in the M-3 (Heavy Industrial) Zoning District to allow for the construction of two approximately 193,740-square foot speculative industrial/warehouse/distribution buildings on the northern half of this property, with no additional conditions beyond those recommended by the Plan Commission, MC.***

#### **Rescheduling of the April 8, 2019 joint Village Board/Plan Commission meeting**

Gruhn stated that she would not be able to attend the regularly scheduled joint Village Board/Plan Commission meeting.

***Motion (McMahon, S. Nelson) to reschedule the April 8, 2019 joint Village Board/Plan Commission meeting to Thursday, April 11, 2019, at 6:00 p.m., MC.***

**Closed Session: Public hearing postponement request received on March 6, 2019 related to the conditional use amendment application submitted by OBCO, LLC (with Reesman's Excavating & Grading, Inc. as applicant/agent) for the property located at 14520 Braun Road (Parcel ID # 194-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to allow for the amendment of the existing conditional use for this property to include the temporary storage of aggregate materials, including recycling of concrete, scale house, stormwater pond and screening berms**

Alby recused himself from any action or deliberation on this agenda item due to his business relationship with the applicant/agent.

***Motion (Gruhn, S. Nelson) to enter into closed session at 6:40 p.m. to discuss the public hearing postponement request received on March 6, 2019 related to the conditional use amendment application submitted by OBCO, LLC (with Reesman's Excavating & Grading, Inc. as applicant/agent) for the property located at 14520 Braun Road (Parcel ID # 194-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to allow for the amendment of the existing conditional use for this property to include the temporary storage of aggregate materials, including recycling of concrete, scale house, stormwater pond and screening berms, pursuant to Wisconsin Statutes Section 19.85(1)(g)\*, and to invite the Village Attorneys, Village Engineer, Village Clerk-Treasurer and Plan Commissioners Nelson, Geschke and Bartlett to attend said closed session. Roll Call - Nelson, Yes; McMahon, Yes; Gruhn, Yes; Funk, Yes; Maurice, Yes. Motion Carried (MC).***

The Village Board met in closed session to discuss the public hearing postponement request received on March 6, 2019 related to the conditional use amendment application submitted by OBCO, LLC (with Reesman's Excavating & Grading, Inc. as applicant/agent) for the property located at 14520 Braun Road (Parcel ID # 194-03-21-25-015-000) in the M-4

(Quarrying) Zoning District to allow for the amendment of the existing conditional use for this property to include the temporary storage of aggregate materials, including recycling of concrete, scale house, stormwater pond and screening berms.

***Motion (McMahon, Maurice) to return to open session at 7:14 p.m., MC.***

**Public hearing postponement request received on March 6, 2019 related to the conditional use amendment application submitted by OBCO, LLC (with Reesman's Excavating & Grading, Inc. as applicant/agent) for the property located at 14520 Braun Road (Parcel ID # 194-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to allow for the amendment of the existing conditional use for this property to include the temporary storage of aggregate materials, including recycling of concrete, scale house, stormwater pond and screening berms**

Geary recommended that the Village Board and Plan Commission grant the applicant's request for a postponement of the public hearing related to this request.

***Motion (Bartlett, Geschke) to recommend the postponement of the public hearing related to this request until the joint Village Board/Plan Commission meeting on Thursday, April 11, 2019, and to recommend that final action be taken on said request at the conclusion of said public hearing, motion carried with Alby abstaining.***

***Motion (McMahon, Maurice) to accept the Plan Commission's recommendations and to postpone the public hearing related to this request until the joint Village Board/Plan Commission meeting on Thursday, April 11, 2019, and to take final action on said request at the conclusion of said public hearing, MC.***

**Public Hearing - Conditional use amendment application submitted by OBCO, LLC (with Reesman's Excavating & Grading, Inc. as applicant/agent) for the property located at 14520 Braun Road (Parcel ID # 194-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to allow for the amendment of the existing conditional use for this property to include the temporary storage of aggregate materials, including recycling of concrete, scale house, stormwater pond and screening berms**

Due to the action on the preceding agenda item, this public hearing was postponed until Thursday, April 11, 2019, at 6:00 p.m.

Upon the conclusion of discussion and action on this agenda item, Alby rejoined the Village Board and Plan Commission meeting.

**Closed Session: Conditional use amendment application submitted by OBCO, LLC (with Reesman's Excavating & Grading, Inc. as applicant/agent) for the property located at 14520 Braun Road (Parcel ID # 194-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to allow for the amendment of the existing conditional use for this property to include the temporary storage of aggregate materials, including recycling of concrete, scale house, stormwater pond and screening berms**

Due to the postponement of the preceding public hearing, the Village Board did not enter into closed session to discuss this request.

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

Conditional use amendment application submitted by OBCO, LLC (with Reesman's Excavating & Grading, Inc. as applicant/agent) for the property located at 14520 Braun Road (Parcel ID # 194-03-21-25-015-000) in the M-4 (Quarrying) Zoning District to allow for the amendment of the existing conditional use for this property to include the temporary storage of aggregate materials, including recycling of concrete, scale house, stormwater pond and screening berms

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

Upon the conclusion of this agenda item, Alby rejoined the Village Board and Plan Commission meeting.

### **Premier Gold Workforce Solutions, LLC Contracted Staffing Agreement**

Geary stated that his office is currently reviewing this agreement and will report back to the Village Board regarding their recommendations related to it.

***Motion (Maurice, McMahon) to table this agenda item until such time as the Village's attorney has completed a review of the Contracted Staffing Agreement and certificate of insurance for Premier Gold Workforce Solutions, LLC, MC.***

### **Ordinance 2019-02 To Amend Division 4, Section 2-231 of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin related to the membership of the Board of Review and deleting references related to Town**

Helsel stated that this ordinance changes the composition of the Board of Review to include all five Village Board members, the Clerk-Treasurer, and one citizen member.

***Motion (S. Nelson, McMahon) to adopt Ordinance 2019-02 as presented, MC.***

### **Resolution 2019-03 Adopting the Public Participation Plan for the I-94 Corridor Master Plan and 2050 Comprehensive Plan for the Village of Yorkville, Racine County, Wisconsin**

***Motion (S. Nelson, Maurice) to adopt Resolution 2019-03 as presented, MC.***

### **Scheduling of the 2019 annual Village road inspection**

***Motion (McMahon, Maurice) to schedule the 2019 annual road inspection on Saturday, March 30, 2019, at 9:00 a.m., beginning at the Union Grove Municipal Center, 925 15<sup>th</sup> Avenue, MC.***

### **Scheduling a spring tire and electronics collection event at the Village's waste and recycling collection site, 19040 Spring Street (CTH C)**

McKinney stated that the disposal fees for this event are unchanged from last fall's event.

***Motion (S. Nelson, Funk) to schedule a spring tire and electronics collection event at the Village's waste and recycling collection site, 19040 Spring Street (CTH C), on Saturday, April 13, 2019, from 8:00 a.m. to 3:00 p.m., 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 stated that this year's planned repaving of 67<sup>th</sup> Drive between 52<sup>nd</sup> Road and Plank Road (CTH A) has been bid out with a March 21 bid opening.

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

**Roads/Public Works Committee Report:** Funk stated that runoff has been encroaching on several Village roads.

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

- That an I-94 Corridor Master Plan & 2050 Comprehensive Plan public involvement meeting will be held on March 14
- That a Yorkville Long-Range Planning/Ordinance Committee meeting will be held on March 18
- That absentee voting for the April 2 spring election begins on March 18
- That a Durand Avenue (STH 11) public information meeting will be held on May 16
- That the following items will appear on the March 25 Village Board meeting agenda:
  - 2018 Central Racine County Health Department annual report
  - Wisconsin Department of Transportation road project update
- That the following items will appear on the April 11 joint Village Board/Plan Commission meeting agenda:
  - 14520 Braun Road conditional use
  - 14212 58<sup>th</sup> Road certified survey map
  - Grandview Business Park certified survey map
- That he and Gruhn participated in a meeting to discuss a proposed solar farm in the Town of Paris
- That approach rumble strips at the Two Mile Road/Raymond Avenue (CTH U) intersection will be installed this spring
- That he was contacted by the Village of Union Grove's public works director about clearing brush from the small stream behind the Village's public works facility located at 19326 1<sup>st</sup> Street

Gruhn stated that she would not be able to attend the upcoming Western Racine County Alliance meeting. McMahon stated that he could attend in her place.

Joseph Bergs addressed the Village Board regarding the upcoming I-94 Corridor Master

Plan process.

## **Adjournment**

***Motion (D. Nelson, Funk) to adjourn, MC.*** The meeting was adjourned at 7:55 p.m. The next scheduled Village Board meeting is Monday, March 25, 2019, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*