

## MINUTES

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

### Call to Order

Village Board President Douglas Nelson called the meeting to order at 6:00 p.m.

### Roll Call

The following Village Board members were present: Douglas Nelson, Robert Funk, Daniel Maurice, Steve Nelson and Cory Bartlett. The following Plan Commission members were present: Douglas Nelson, Cory Bartlett, Aaron Alby and Timothy DeGarmo. Barbara Geschke was absent. Also present were Robert May representing McLane Foodservice, Jon Erickson, Kay Erickson, Attorney Christopher Geary, Engineer Mark Madsen and Clerk-Treasurer Michael McKinney.

### Approval of Minutes

*Motion (S. Nelson, Maurice) to approve the October 28, 2019 Village Board and November 4, 2019 Village Board meeting minutes as presented, Motion Carried (MC).*

### Approval of Financial Reports

*Motion (Funk, Bartlett) to approve the October Village and Stormwater financial reports as presented, MC.*

### Approval of Village Invoices

*Motion (S. Nelson, Funk) to approve payment of Village invoices as presented in the amount of \$65,914.23, MC.*

### Approval of Stormwater Invoices

*Motion (S. Nelson, Maurice) to approve payment of Stormwater invoices as presented in the amount of \$719.00, MC.*

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

#### West Grandview Parkway "No Parking" signage removal request

Robert May requested that these signs be removed to allow for vehicles to park temporarily on West Grandview Parkway.

***Motion (S. Nelson, Funk) to proceed with having the existing “No Parking” signage removed from both sides of West Grandview Parkway, MC.***

**Land disturbing construction activity permit application submitted by Jon Erickson for 18917 Spring Street (CTH C) (Parcel ID # 194-03-21-20-040-000)**

Jon Erickson stated that this application is for the extension of a berm along the west boundary of this property. Madsen recommended that the grading around the berm maintain positive drainage, that the berm be seeded when completed to prevent erosion and that the berm has slopes no steeper than a 3:1 ratio. He added that the Wisconsin Department of Natural Resources may require a Notice of Intent for this project.

***Motion (Bartlett, S. Nelson) to approve the land disturbing construction activity permit application submitted by Jon Erickson for the parcel located at 18917 Spring Street (CTH C) (Parcel ID # 194-03-21-20-040-000), with the condition that the applicant contact the Wisconsin Department of Natural Resources to inquire as to whether a Notice of Intent will be required for this project, MC.***

**Resolution 2019-13 To retain the law firm of Phipps, Deacon, Purnell, PLLC, as outside counsel to handle opioid-related claims asserted by the Village in state court**

***Motion (S. Nelson, Maurice) to adopt Resolution 2019-13 as presented, MC.***

**Resolution 2019-14 Designating and appointing a resident to the Yorkville Board of Appeals**

***Motion (Funk, Bartlett) to adopt Resolution 2019-14 as presented, MC.***

**Village Administrator/Clerk and Village Treasurer appointments**

***Motion (Maurice, S. Nelson) to appoint Michael McKinney as Village Administrator/Clerk and to appoint Tammy Ruggaber as Village Treasurer, with both appointments taking effect January 1, 2020, MC.***

**Assessment policy for removing fallen trees from the Village’s right-of-way**

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

**2019-2020 annual Operator License applications submitted by the following:**

- Michael Gabbey
- Stephen Kozenski
- Cameron Stoewe
- Thomas Thomsen

***Motion (Funk, Bartlett) to grant all listed 2019-2020 annual Operator Licenses as presented, with no conditions, MC.***

## Reports

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

***Motion (Funk, Maurice) to approve and file the Building Inspector's report as presented, MC.***

**Engineer's Report:** Madsen stated that his staff is currently surveying for next year's planned road reconstruction projects.

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

**Roads/Public Works Committee Report:** Funk stated 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 Board of Appeals approved a variance on November 6 for the vacant parcel located immediately to the south of 910 South Sylvania Avenue
- That a public hearing will be held on November 25 regarding the proposed 2020 budgets for the General, Sewer Utility, Stormwater Utility and Water Utility funds
- That a public hearing will be held on December 16 regarding the I-94 Corridor Master Plan

Bartlett asked about the status of the property located at 14017 Durand Avenue (STH 11).

D. Nelson provided an update to the Village Board on a meeting he attended today regarding a proposed backup well for the Village's water utility.

## Public Comments, Questions and Suggestions

No public comments, questions or suggestions were provided.

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

**Closed Session: Discussion of 2209 South Colony Avenue (USH 45) stormwater drainage with legal counsel**

***Motion (S. Nelson, Maurice) to enter into closed session at 6:54 p.m., pursuant to Wisconsin Statutes Section 19.85(1)(g)\* to discuss 2209 South Colony Avenue (USH 45) stormwater drainage with legal counsel. Roll Call - Bartlett, Yes; S. Nelson, Yes; D. Nelson, Yes; Maurice, Yes; Funk, Yes. Motion Carried.***

The Village Board met in closed session to discuss 2209 South Colony Avenue (USH 45) stormwater drainage with legal counsel.

***Motion (S. Nelson, Bartlett) to return to open session at 7:38 p.m., MC.***

**Discussion of 2209 South Colony Avenue (USH 45) stormwater drainage with legal counsel**

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

## **Adjournment**

***Motion (S. Nelson, Bartlett) to adjourn, MC.*** The meeting was adjourned at 7:39 p.m. The next scheduled Village Board meeting is Monday, November 25, 2019, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*

\* Wisconsin Statutes Section 19.85(1)(g) - Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.