

MINUTES

VILLAGE OF YORKVILLE
JOINT VILLAGE BOARD/PLAN COMMISSION
VILLAGE BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, JULY 12, 2021

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, Barbara Geschke, Aaron Alby and Timothy DeGarmo. Also present were Todd Jung, Mark Peterson, Kayla Peterson, Nancy Washburn representing Diversified Land Developers, Jim Fox, James Verwey, Andrew Pagels, Thomas Behrens, Attorney Tim Pruitt, Engineer Mark Madsen and Administrator/Clerk Michael McKinney.

Approval of Minutes

Motion (S. Nelson, Bartlett) to approve the June 28, 2021 Village Board and the July 8, 2021 joint Village Board/Plan Commission meeting minutes as presented, Motion Carried (MC).

Approval of Financial Reports

Motion (Maurice, Funk) to approve the June Village and Stormwater financial reports as presented, MC.

Approval of Village Invoices

Motion (Funk, Bartlett) to approve payment of Village invoices as presented in the amount of \$97,991.28, MC.

Approval of Stormwater Invoices

McKinney stated that no Stormwater invoices were presented for payment.

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

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

Request submitted by Todd Jung for a waiver of Section 38-111(1) of the Code of Ordinances of the Village of Yorkville relating to driveway culvert sizing and end wall

requirements for an application to replace a driveway culvert located at 19014 Savage Road (Parcel ID # 194-03-21-17-029-000)

McKinney stated that Jung is requesting a waiver of the following culvert-related requirements listed in Section 38-111(1) of the Village's Code of Ordinances:

- Culverts shall have a minimum diameter of 15 inches; the Jung request is for a 12-inch diameter culvert
- Culverts shall have a minimum length of 24 feet; the Jung request is for a 22-foot-long culvert
- Culverts shall have end walls; the Jung request is for no end walls
- Culverts shall have animal guards; the Jung request is for no animal guards

Jung stated that the existing driveway culvert has a 12-inch diameter due to the shallow ditch depth and does not have animal guards or end walls, adding that he is requesting a shorter culvert, as the existing driveway is very narrow, and the existing 24-foot-long culvert extends well beyond either side of the driveway. Madsen stated that he has no objection to this proposal if the size of the culvert does not create flow problems.

Motion (Funk, Maurice) to approve the request submitted by Todd Jung for the following waivers of culvert-related requirements contained in Section 38-111(1) of the Village of Yorkville Code of Ordinances:

- ***Allowing a 12-inch diameter culvert;***
- ***Allowing a 22-foot long culvert;***
- ***Allowing a culvert without end walls;***
- ***Allowing a culvert without animal guards, MC.***

Preliminary certified survey map request submitted by the Peterson Family Trust (with Mark Peterson as applicant/agent) for the parcel located at 16835 Spring Street (CTH C) (Parcel ID # 194-03-21-22-007-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the division of this parcel into a 3.53-acre parcel and an approximately 47.75-acre remnant parcel

S. Nelson noted that the dimensions of the proposed 3.53-acre parcel would reduce the 59th Drive road frontage of the parent parcel to the point where another parcel could not be created immediately to the north of the proposed parcel.

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

Ordinance 2021-06 Amending Division 2 of Article II of Chapter 30 of the Code of Ordinances for the Village of Yorkville entitled "Use of Firearms and Dangerous Weapons"

Motion (S. Nelson, Funk) to adopt Ordinance 2021-06 as presented, MC.

Ordinance waiver request process

Discussion focused on whether to implement waiver processes for specific ordinances or to create an ordinance that establishes a waiver process for all ordinances that currently do not have a waiver process. The Village Board opted to ask the Long-Range Planning/Ordinance Committee to discuss this topic at their next meeting.

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

Grandview Parkway/South Sylvania Avenue intersection traffic control

McKinney stated that he received confirmation from Hillwood that neither Hillwood nor Amazon feel that it is necessary to make changes to the north intersection of Grandview Parkway and South Sylvania Avenue. He added that the Village's zoning administrator informed him that the elimination of the condition of the conditional use permit approved in 2020 for the Amazon facility project requiring the applicant to make changes to the north intersection of Grandview Parkway and South Sylvania Avenue would require that the Village submit a conditional use permit amendment application making such a request.

Motion (Funk, Maurice) to authorize the Administrator/Clerk to submit a conditional use permit amendment application to the Village's zoning administrator requesting the elimination of Condition # 28, which required the applicant to make signage and landscaping alterations at the north intersection of Grandview Parkway and South Sylvania Avenue, as part of the conditional use permit approved by the Village Board on May 11, 2020, for the properties located at 1925 Grandview Parkway and 2000 Grandview Parkway, MC.

Wastewater treatment facility project change order procedure/policy

McKinney stated that all change orders for this project currently require approval by both the Village Board and the Sewer and Water Commission. He noted that it was recommended to him to allow for change orders in the amount of \$5,000.00 or less to be approved administratively by Village staff.

Motion (S. Nelson, Maurice) to allow up to three change orders per month in the amount of \$5,000.00 or less to be administratively approved by Village staff for the wastewater treatment facility project, MC.

Agreement for Union Grove and Yorkville building inspection and related services

McKinney stated that this agreement has been amended to increase the monthly administrative fee due from both municipalities, delay the effective date of the agreement by one month, and incorporate additional professional liability insurance language.

Motion (S. Nelson, Maurice) to rescind the agreement for Union Grove and Yorkville building inspection and related services approved on June 14, 2021, MC.

Motion (Bartlett, Maurice) to approve the amended agreement for Union Grove and Yorkville building inspection and related services as presented, MC.

Class “A” Beer License submitted by Citgo Auto Truck Plaza, 611 South Sylvania Avenue (Agent: Robert Francis Basil) (Premises: Truck Stop and Convenience Store), for the period of July 1, 2021, through June 30, 2022

Motion (Funk, Bartlett) to grant a Class “A” Beer License to Citgo Auto Truck Plaza, 611 South Sylvania Avenue (Agent: Robert Francis Basil) (Premises: Truck Stop and Convenience Store), for the period of July 1, 2021, through June 30, 2022, with no conditions, MC.

2021-2022 annual Operator License applications submitted by the following:

- **Kristopher Banse**
- **Slade Johnson**

Motion (S. Nelson, Maurice) to grant all listed 2021-2022 annual Operator Licenses as presented, with no conditions, MC.

Reports

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

- That his office is working on an estimate for the cost to replace the 2 Mile Road bridge over the East Branch of the Root River Canal
- That his office will inspect the status of the Yorkville Meadows subdivision’s drainage facilities
- Ongoing stormwater management plan review for the property located immediately to the south of 2638 North Sylvania Avenue (West Frontage Road)
- Ongoing stormwater management plan review for 2232 North Sylvania Avenue (West Frontage Road) and the vacant parcel located immediately to the south of 2232 North Sylvania Avenue (West Frontage Road)
- Ongoing stormwater management plan review for 14401 58th Road

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

Motion (S. Nelson, Bartlett) to approve and file the Building Inspector’s report as presented, MC.

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 the Racine County Public Works Department has been shouldering Village roads.

Village President’s Report: D. Nelson stated that he had no information to report to the Village Board.

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

- That the August 9 joint Village Board/Plan Commission meeting agenda will include agenda items related to the following:
 - Yorkshire Highlands subdivision final plat
 - 16835 Spring Street (CTH C) final certified survey map
 - 5104 Crystal Lane preliminary certified survey map
 - 17108 County Line Road (CTH KR) site plan
 - Conditional use for the vacant parcel located immediately to the west of 14215 2 Mile Road
- That he received an inquiry regarding the provision of municipal wastewater service to the property located at 3400 South Sylvania Avenue (West Frontage Road)
- That he received an inquiry about the process to incorporate the parcel located at 2025 51st Drive into the water and sewer utility districts
- That he, Gary Hanson, Steven Houte and Short Elliott Hendrickson representatives met with Staab Construction Corporation representatives for a preconstruction conference regarding the wastewater treatment facility improvement project
- That Racine County plans to begin a project later this month to replace part of the existing stormwater system on the property located at Washington Avenue (STH 20)

Public Comments, Questions and Suggestions

Jim Fox asked whether the reference to “any residential zoning district” used in Ordinance 2021-06 applies to properties in agricultural zoning districts. McKinney stated that it does not apply to those districts.

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

Final plat and related documents submitted by Diversified Land Developers LLC (with TNG 27, LLC/Raymond Leffler/Nancy Washburn as applicant/agent) for three parcels on 50th Road (Parcel ID #'s 194-03-21-01-006-040, 194-03-21-01-006-030 and 194-03-21-01-006-010) in the A-2 (General Farming and Residential II) Zoning District for the creation of a 15-parcel cluster subdivision (plus one approximately 60.46-acre outlot) from these parcels

Pruitt stated that the Plan Commission and Village Board should refrain from action on this agenda item until the Seno K/RLT Conservancy has an opportunity to approve the subdivision’s stewardship plan. Madsen stated that he did not believe that a traffic impact analysis would be necessary to study the traffic impact of this proposed subdivision.

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

Road opening permit application submitted by Diversified Land Developers LLC (with TNG 27, LLC/Raymond Leffler/Nancy Washburn as applicant/agent) to open 50th Road for the purposes of connecting Highland Way to 50th Road

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

Land disturbing construction activity permit application submitted by Diversified Land Developers LLC (with TNG 27, LLC/Raymond Leffler/Nancy Washburn as applicant/agent)

for three parcels on 50th Road (Parcel ID #'s 194-03-21-01-006-040, 194-03-21-01-006-030 and 194-03-21-01-006-010)

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

Closed Session: Racine County professional services agreement for zoning-related services

Motion (S. Nelson, Maurice) to enter into closed session at 7:22 p.m., pursuant to Wisconsin Statutes Section 19.85(1)(e)* to discuss the Racine County professional services agreement for zoning-related services. Roll Call - Funk, Yes; Maurice, Yes; D. Nelson, Yes; S. Nelson, Yes; Bartlett, Yes. Motion Carried.

The Village Board met in closed session to discuss the Racine County professional services agreement for zoning-related services.

Motion (Bartlett, Maurice) to return to open session at 7:37 p.m., MC.

Racine County professional services agreement for zoning-related services

Motion (Bartlett, Maurice) to initiate the process of entering into a 2022 Racine County professional services agreement for zoning-related services in the amount of \$40,000.00, MC.

Adjournment

Motion (S. Nelson, Funk) to adjourn, MC. The meeting was adjourned at 7:38 p.m. The next scheduled Village Board meeting is Monday, July 26, 2021, at 6:00 p.m.

Michael McKinney
Administrator/Clerk

* Wisconsin Statutes Section 19.85(1)(e) - Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.