

MINUTES
VILLAGE OF YORKVILLE
VILLAGE BOARD
VILLAGE BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, SEPTEMBER 27, 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. Also present were Curtis Glassen representing Glassen Technology Services, Racine County Sheriff's Department Sergeant Aaron Schmidt, Code Enforcement Officer Terrence O'Brien, Attorney Tim Pruitt and Administrator/Clerk Michael McKinney.

Approval of Minutes

Motion (Bartlett, S. Nelson) to approve the September 13, 2021 Village Board and September 13, 2021 joint Village Board/Plan Commission meeting minutes as presented, Motion Carried (MC).

Approval of Village Invoices

Motion (Maurice, Bartlett) to approve payment of Village invoices as presented in the amount of \$18,884.26, 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:

Glassen Technology Services cyber security presentation

Curtis Glassen appeared on behalf of Glassen Technology Services to discuss the Village's existing cyber security program, its future cyber security needs and cyber security threats that can impact municipalities.

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

Village road speed limits

McKinney stated that the Racine County Sheriff's Department informed him that, by state statute, the speed limit on unposted roads in Yorkville changed from 55 m.p.h. to 35 m.p.h.

when Yorkville incorporated as a village in 2018. Discussion focused on this change as well as the impact that this would have on the recently incorporated Village of Raymond, on border roads shared with the towns of Dover and Paris, and the possibility of requesting that the state amend the statutes to address speed limits for newly incorporated municipalities. The Village Board directed McKinney to obtain a quote for performing speed studies on all unposted local roads in Yorkville.

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

Building permit fee ordinances

McKinney stated that there is an inconsistency in the Village's existing building permit fee ordinances related to how building permit fees are calculated on an expired building permit, with permit reissuance requiring payment of full and half fees in separate ordinances. The Village Board directed McKinney and the Village's attorney to draft amendments to these ordinances that would require the applicant to pay a full permit fee for reissuance of an expired building permit and to establish a waiver process for those who can show good cause as to why the permit fee for reissuance of an expired building permit should not be charged in full.

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

Road opening permit application submitted by E-Vergent, LLC (with Bayan Deanparvar as applicant/agent) to open 2 Mile Road for the purposes of retrieving a broken directional bore drill head

McKinney stated that he received this request by e-mail but has not received a formal application, application fee or road opening bond. He added that the Village's engineer did review this request and made several recommendations as to how the road opening should take place. Discussion focused on whether the Village's ordinances related to road opening permits should be amended to require that excavations be filled with slurry.

Motion (S. Nelson, Maurice) to grant a permit to E-Vergent, LLC (with Bayan Deanparvar as applicant/agent) to open 2 Mile Road for the purposes of retrieving a broken directional bore drill head, with the following conditions:

- ***That the Administrator/Clerk not issue this permit until such time as the applicant submits the road opening permit application with plans, the \$50.00 road opening permit application fee, and a \$5,000.00 road opening permit bond or letter of credit***
- ***That a representative of the Village Engineer be on-site to observe the roadway opening and closing at applicant expense***
- ***That the applicant fills the excavated area with the following when the excavation is complete:***
 - ***Slurry backfill***
 - ***10" of road base on top of the slurry backfill***
 - ***Minimum of 4" (or to a thickness to match the existing pavement thickness, whichever is greater) hot mix asphalt in lifts on top of the road base***
- ***That all saw cuts be perpendicular or parallel to the traffic lane***

- ***That the applicant follows the Village Engineer's direction as to patch and joint location at the excavation site, MC.***

Resolution 2021-33 A modified resolution declaring official intent to reimburse expenditures from proceeds of borrowing through the State of Wisconsin Environmental Improvement Fund

McKinney stated that this resolution will supersede a similar resolution approved in 2020, adding that the purpose of this modified resolution is to increase the amount the Village can borrow for the wastewater treatment plant improvement project.

Motion (S. Nelson, Bartlett) to adopt Resolution 2021-33 as presented, MC.

Wastewater treatment plant improvement project interim funding options

McKinney provided information regarding several interim funding options for the wastewater treatment plant improvement project, including Community State Bank, Tri-City National Bank, and the Wisconsin Board of Commissioners of Public Lands. He stated that Tri-City National Bank offered the lowest interest rate of the three options investigated, adding that Tri-City has not provided him with an estimate of how much the closing costs would be for such funding.

Motion (S. Nelson, Funk) to direct the Administrator/Clerk to do the following:

- ***To submit an interim funding request with Tri-City National Bank in an amount not to exceed \$3.5 million, with the following conditions:***
 - ***That the interest rate for this funding shall not exceed 2.0%***
 - ***That the closing fee for this funding shall not exceed \$4,000.00***
- ***To submit an interim funding request with Community State Bank if Tri-City National Bank is not able to meet the conditions related to interest rate and closing fees, MC.***

Village road system planning

Discussion focused on establishing a road and utility infrastructure plan for the area between Grandview Business Park and 56th Road. Pruitt recommended that the Village adopt an official road map with accompanying legal descriptions showing any planned road network in this area.

Motion (S. Nelson, Maurice) to direct the Village's engineer to create a draft road system plan map of the area between the north intersection of South Sylvania Avenue (West Frontage Road) and Grandview Parkway south to 56th Road that includes the following:

- ***An extension of West Grandview Parkway to the south to connect with the west end of Leetsbir Road***
- ***An extension of West Grandview Parkway to the west to provide road access from the east to the property located at 2025 51st Drive***
- ***An extension of water utility infrastructure south from West Grandview Parkway to the west end of Leetsbir Road***

- ***An extension of water utility infrastructure south along South Sylvania Avenue (West Frontage Road) to Leetsbir Road***
- ***An extension of the existing sanitary sewer force main south along South Sylvania Avenue (West Frontage Road) to Leetsbir Road, MC.***

Staab Construction Corporation pay request #2 for the 2021 Wastewater Treatment Facility Improvement project

McKinney stated that Short Elliott Hendrickson recommended payment of this request, adding that the Sewer and Water Commission approved this request at their September 21 meeting.

Motion (S. Nelson, Bartlett) to approve payment of Pay Request #2 submitted by Staab Construction Corporation in the amount of \$418,361.00 for the 2021 Wastewater Treatment Facility Improvement project, MC.

Modified Wisconsin Department of Transportation State/Municipal Agreement for a State-Let Local Bridge Project

McKinney stated that this agreement would authorize increases to the reimbursement for bridge design and construction-related expenditures for the 58th Road Bridge over the West Branch of the Root River Canal replacement project.

Motion (Bartlett, Funk) to approve the Modified Wisconsin Department of Transportation State/Municipal Agreement for a State-Let Local Bridge Project, MC.

Liturgical Publications, Inc. newsletter publication service agreement

McKinney stated that this agreement would take effect in 2022 and would increase the number of newsletters published annually from two to four.

Motion (Funk, S. Nelson) to approve the Liturgical Publications, Inc. newsletter publication service agreement as presented, MC.

Reports

Code Enforcement Officer's Report: Discussion focused on issues related to the following properties:

- 1609 South Colony Avenue (USH 45)
- 2406 59th Drive
- 2611 65th Drive

Engineer's Report: The Engineer was not present to provide a report to the Village Board.

Yorkville Stormwater Utility District Report: S. Nelson stated that the Stormwater Utility District Commission will meet next month to discuss its 2022 budget.

Roads/Public Works Committee Report: Funk stated that the Village's second roadside mowing operation of the year is complete.

Long-Range Planning/Ordinance Committee Report: Maurice stated that the Committee met on September 14 and discussed home occupations.

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 October 11 joint Village Board/Plan Commission meeting agenda will include agenda items related to the following:
 - 5104 Crystal Lane final certified survey map
 - 2332 North Sylvania Avenue (West Frontage Road) site plan
 - 2730 South Sylvania Avenue (West Frontage Road) rezoning and conditional use
 - 2200 South Sylvania Avenue (West Frontage Road) pre-application conference
 - Wastewater treatment plant improvement project financing and debt service
- That a Board of Appeals public meeting is scheduled for October 6 to hear a variance request for the parcel located at 14510 Washington Avenue (STH 20)
- That a tour of the ongoing wastewater treatment plant improvement project is scheduled for October 19 at 5:00 p.m.

Public Comments, Questions and Suggestions

No public comments, questions or suggestions were provided.

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

2022 General Fund annual budget

The Village Board discussed the following proposed 2022 budget expenditures:

- Employee wages
- Union Grove-Yorkville Fire Department contribution
- Property and liability insurance
- Highway construction and maintenance
- Bridge construction
- Public health services

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

Setting additional budget workshop dates

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

Scheduling a public hearing for presentation of the Village's 2022 General Fund, Tax Incremental District Fund, Sewer Utility Fund, Stormwater Utility Fund and Water Utility Fund annual budgets

Motion (S. Nelson, Bartlett) to schedule a public hearing for presentation of the Village's 2022 General Fund, Tax Incremental District Fund, Sewer Utility Fund, Stormwater

Utility Fund and Water Utility Fund annual budgets at 6:00 p.m., on Monday, November 22, 2021, MC.

Scheduling a Village Board meeting for the purposes of approving the final 2021 payable 2022 tax levy and the Village's 2022 General Fund, Tax Incremental District Fund, Sewer Utility Fund, Stormwater Utility Fund and Water Utility Fund annual budgets

Motion (S. Nelson, Maurice) to schedule a Village Board meeting for the purposes of approving the final 2021 payable 2022 tax levy and the Village's 2022 General Fund, Tax Incremental District Fund, Sewer Utility Fund, Stormwater Utility Fund and Water Utility Fund annual budgets on Monday, November 22, 2021, immediately following that evening's public hearing for presentation of the Village's 2022 General Fund, Tax Incremental District Fund, Sewer Utility Fund, Stormwater Utility Fund and Water Utility Fund annual budgets, MC.

Closed Session: Employee performance data evaluation

Motion (Maurice, S. Nelson) to enter into closed session at 8:41 p.m., pursuant to Wisconsin Statutes Section 19.85(1)(c)* to evaluate employee performance data. Roll Call - Bartlett, Yes; S. Nelson, Yes; D. Nelson, Yes; Maurice, Yes; Funk, Yes. Motion Carried.

The Village Board met in closed session to evaluate employee performance data.

Motion (S. Nelson, Funk) to return to open session at 9:02 p.m., MC.

Employee performance data evaluation

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 9:02 p.m. The next scheduled Village Board meeting is Monday, October 11, 2021, at 6:00 p.m.

Michael McKinney
Administrator/Clerk

* Wisconsin Statutes Section 19.85(1)(c) - Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.