

## MINUTES

VILLAGE OF YORKVILLE  
JOINT VILLAGE BOARD/PLAN COMMISSION  
VILLAGE BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, MAY 9, 2022

### 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 Fred Johnson, Rodney Balvitsch, and Becky Gunther representing ALCIVIA, Rachel Rank, Dragan Radeta representing 2502 Sylvania, LLC, Nancy Washburn representing TNG 27, LLC, Lindsey Badtke, Justin Miklaszewski, Cory Ludwin, Joseph Nowak, Andrew Friesema, James Lemke, Engineer Mark Madsen, Attorney Tim Pruitt, Administrator/Clerk Michael McKinney, and approximately ten unidentified attendees.

### Approval of Minutes

***Motion (Funk, S. Nelson) to approve the April 25, 2022 Village Board, April 25, 2022 Village Board, and May 2, 2022 joint Village Board/Sewer and Water Commission meeting minutes, Motion Carried (MC).***

### Approval of Financial Reports

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

### Approval of Village Invoices

***Motion (Bartlett, Maurice) to approve payment of Village invoices as presented in the amount of \$143,156.56, 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:

Site plan review application submitted by Cooperative Plus, Inc. (with Fred Johnson/ALCIVIA as applicant/agent) for the parcel located at 17702 County Line Road

**(CTH KR) (Parcel ID # 194-03-21-33-015-020) in the M-3 (Heavy Industrial) Zoning District for the construction of a ±4,150-square foot addition to an existing industrial building on this parcel for dry fertilizer storage, including construction of a 108.66-foot-high bucket elevator for an agricultural business known as “ALCIVIA”**

Madsen stated that he had no concerns related to this request.

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

**Resolution 2022-17 Approving a request for site plan review for the construction of a ±4,150-square foot addition to an existing industrial building on this parcel for dry fertilizer storage, including construction of a 108.66-foot-high bucket elevator for an agricultural business known as “ALCIVIA” at 17702 County Line Road (CTH KR), Sec. 33, T3N, R21E, Village of Yorkville, Racine County, Wisconsin (Parcel ID # 194-03-21-33-015-020); Cooperative Plus, Inc., Owner; Fred Johnson/ALCIVIA, Applicant/Agent**

***Motion (Alby, DeGarmo) to recommend the adoption of Resolution 2022-17 as presented, MC.***

***Motion (Maurice, S. Nelson) to accept the Plan Commission’s recommendation and to adopt Resolution 2022-17 as presented, 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 Rachel Rank for the parcel located at 18320 Old Yorkville Road (Parcel ID # 194-03-21-05-058-001) in the A-2 (General Farming and Residential II) Zoning District for the construction of a 30-foot by 60-foot (1,800-square foot) creamery addition to an existing barn for a dairy product business known as “Silo View Creamery”

D. Nelson opened the public hearing at 6:06 p.m.

Lindsey Badtke, 18324 Old Yorkville Road, spoke in favor of this request.

Justin Miklaszewski spoke in favor of this request.

Cory Ludwin, 17710 Old Yorkville Road, spoke in favor of this request.

Nancy Washburn, Mount Pleasant, spoke in favor of this request.

Joseph Nowak, 18629 Walden Drive, asked for additional information about potential changes in noise, odors, and truck traffic due to this proposed use. Rachel Rank stated that this operation would not result in any changes in noise, odors, or truck traffic.

Andrew Friesema, 17710 Old Yorkville Road, asked for additional information about waste processing, bottling, and hours of operation. Rachel Rank stated that there would not be an increase in waste generated by this operation given that the number of cows kept on site would decrease. She noted that bottling would take place two to three times per week, adding that the hours of operation of this use would be daily from 6:00 a.m. to 6:00 p.m.

With no other comments forthcoming, D. Nelson closed the public hearing at 6:14 p.m.

**Conditional use application submitted by Rachel Rank for the parcel located at 18320 Old Yorkville Road (Parcel ID # 194-03-21-05-058-001) in the A-2 (General Farming and Residential II) Zoning District for the construction of a 30-foot by 60-foot (1,800-square foot) creamery addition to an existing barn for a dairy product business known as “Silo View Creamery”**

Alby asked about the containers that milk would be sold in. Rachel Rank stated that the containers would be ½ gallon and smaller and would be sold in local stores.

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

**Resolution 2022-18 Approving a request for a conditional use permit to construct a 30-foot by 60-foot (1,800-square foot) creamery addition to an existing barn for a dairy product business known as “Silo View Creamery” at 18320 Old Yorkville Road, Sec. 05, T3N, R21E, Village of Yorkville, Racine County, Wisconsin (Parcel ID # 194-03-21-05-058-001); Rachel Rank, Owner; Rachel Rank, Applicant/Agent**

***Motion (DeGarmo, Bartlett) to recommend the adoption of Resolution 2022-18 as presented, MC.***

***Motion (Maurice, S. Nelson) to accept the Plan Commission’s recommendation and to adopt Resolution 2022-18 as presented, MC.***

**Preliminary certified survey map request submitted by 2502 Sylvania, LLC and TCTS, LLC (with Dragan Radeta as applicant/agent) for the parcels located at 2502 North Sylvania Avenue (West Frontage Road) and 2626 49<sup>th</sup> Drive (Parcel ID #'s 194-03-21-01-003-000 and 194-03-21-01-002-000) in the B-3 (Commercial Service), M-2 (General Industrial) and A-2 (General Farming and Residential II) Zoning Districts to allow for the combination of these parcels and the redivision of the combined parcel into a 30.0459-acre parcel to the west and a 32.0203-acre parcel to the east**

Discussion focused on the parcel located at 2626 49<sup>th</sup> Drive and addressed the condition of the existing drain tile network, drainage patterns, and wetlands on this parcel, as well as how to make the future access of this parcel to 49<sup>th</sup> Drive compliant with the Village’s zoning code. The Village Board and Plan Commission recommended that the applicant have a wetland delineation completed and depicted on the final certified survey map prior to its consideration.

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

**Yorkshire Highlands subdivision final plat, development agreement, and related documents**

Alby recused himself from any discussion of or action on this request.

Pruitt provided a summary of the document changes that have been made since the Village Board and Plan Commission last reviewed these documents in February. He noted that the subdivision developer and the homeowner’s association would be responsible for the cost of performing an annual inspection of the subdivision’s stormwater facilities. He stated that the conservation easement has been approved by the Seno K/RLT Conservancy but noted that

minor changes to this document are still necessary. He added that he feels comfortable with approving the documents as presented. Nancy Washburn stated that all future residents of this subdivision would be made aware of the presence of drain tiles on their properties, as well what their responsibilities are as far as maintaining the drain tiles.

***Motion (Bartlett, DeGarmo) to recommend approval of the following documents as presented related to the Yorkshire Highlands subdivision:***

- ***Final Plat***
- ***Development Agreement***
- ***Project cost estimates***
- ***Stewardship Plan***
- ***Conservation Easement (in draft form, as recommended by the Village Attorney)***
- ***Restrictive Covenants***
- ***Stormwater Maintenance Agreement***
- ***Engineering plans***
- ***Stormwater Management Plan***
- ***Wetland delineation report***
- ***Drain tile location report***
- ***Shoreland contract application***
- ***Road opening permit application***
- ***Land disturbance permit application, motion carried with Alby abstaining.***

***Motion (S. Nelson, Maurice) to accept the Plan Commission's recommendation and to approve the following documents as presented related to the Yorkshire Highlands subdivision:***

- ***Final Plat***
- ***Development Agreement***
- ***Project cost estimates***
- ***Stewardship Plan***
- ***Conservation Easement (in draft form, as recommended by the Village Attorney)***
- ***Restrictive Covenants***
- ***Stormwater Maintenance Agreement***
- ***Engineering plans***
- ***Stormwater Management Plan***
- ***Wetland delineation report***
- ***Drain tile location report***
- ***Shoreland contract application***
- ***Road opening permit application***
- ***Land disturbance permit application, MC.***

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

**Request submitted by David Gibbons and Christine Picchietti for shoreland contract approval for the property located at 18600 Walden Drive (Parcel ID # 194-03-21-05-010-**

108) in the C-2 (Upland Resource Conservation) Zoning District to permit construction of an in-ground pool and concrete decking within the shoreland jurisdiction of an un-named pond

***Motion (Funk, Bartlett) to approve the shoreland contract submitted by David Gibbons and Christine Picchiatti for the property located at 18600 Walden Drive (Parcel ID # 194-03-21-05-010-108) in the C-2 (Upland Resource Conservation) Zoning District to permit construction of an in-ground pool and concrete decking within the shoreland jurisdiction of an un-named pond, with the following conditions:***

- ***That the applicant place silt fence or a straw “waddle” around the disturbed area to prevent any erosion and contain sediment runoff***
- ***That the applicant maintains positive drainage in the area surrounding the in-ground pool and concrete decking, MC.***

**North Colony Avenue and 53<sup>rd</sup> Drive paving and drainage program project cross culvert and driveway culvert replacement**

Madsen stated that he received two quotes for this work, adding that a third contractor he had contacted was not interested in submitting a quote.

***Motion (S. Nelson, Bartlett) to approve the quote submitted by Roman's Grading Service, Inc. in the amount of \$35,900.00 for the North Colony Avenue and 53<sup>rd</sup> Drive paving and drainage program project cross culvert and driveway culvert replacement, MC.***

**Staab Construction Corporation change order # 2 for the 2021 wastewater treatment facility improvement project**

McKinney stated that this change order includes eight additions and one deduction.

***Motion (S. Nelson, Maurice) to approve Staab Construction Corporation change order # 2 for the 2021 wastewater treatment facility improvement project in the amount of \$107,165.00, pending approval of this change order by the Sewer and Water Commission, MC.***

**Short Elliott Hendrickson Yorkville WWTP Improvements Design & CRS Supplemental Letter Agreement Amendment # 2**

McKinney stated that the primary purpose of this amendment is to account for higher than anticipated engineering and consulting expenses from Short Elliott Hendrickson and Nielsen Madsen + Barber.

***Motion (S. Nelson, Bartlett) to approve the Short Elliott Hendrickson Yorkville WWTP Improvements Design & CRS Supplemental Letter Agreement Amendment # 2 in the amount of \$68,148.00, pending approval of this amendment by the Sewer and Water Commission, MC.***

## **Engineer's Report – report on activities and issues**

Madsen stated that he was contacted by a party interested in developing the parcel located at 14814 County Line Road (CTH KR). He noted that asphalt repairs are ongoing on 55<sup>th</sup> Drive.

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

## **Village Deputy Clerk-Treasurer position**

McKinney stated that the Deputy Clerk-Treasurer plans to leave employment with the Village at the end of June to relocate to another state. Discussion focused on how to fill this position, including whether to reorganize positions within the office and whether to convert this position into a full-time position.

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

**Special Event Permit application submitted by Kelli Stein and Sara Luther on behalf of the Racine Founders Rotary Club for the 2022 Racine Founders Rotary Post Prom, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Saturday, May 21, 2022, and Sunday, May 22, 2022**

***Motion (S. Nelson, Bartlett) to grant a Special Event Permit to Kelli Stein and Sara Luther on behalf of the Racine Founders Rotary Club for the 2022 Racine Founders Rotary Post Prom, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Saturday, May 21, 2022, and Sunday, May 22, 2022, with no conditions, MC.***

**Special Event Permit application submitted by James McCormick 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 5, 2022**

***Motion (Maurice, S. Nelson) to grant a Special Event Permit to James McCormick 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 5, 2022, with no conditions, MC.***

**Special Event Permit application submitted by Kaitlyn O'malia on behalf of Party-girls Pin-ups, Inc., for Nino's 18<sup>th</sup> Annual Car Show for the Red, White, and Troops, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Sunday, July 10, 2022**

***Motion (Funk, Maurice) to grant a Special Event Permit to Kaitlyn O'malia on behalf of Party-girls Pin-ups, Inc., for Nino's 18<sup>th</sup> Annual Car Show for the Red, White, and Troops, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Sunday, July 10, 2022, with no conditions, MC.***

**2021-2022 annual Operator License application submitted by Robyn Swantz**

***Motion (S. Nelson, Funk) to grant a 2021-2022 annual Operator License to Robyn Swantz, with no conditions, MC.***

## Reports

**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:** Maurice stated that he received a complaint about a bright light mounted on a mailbox on 55<sup>th</sup> Drive. Discussion also focused on recent ditch and drainage issues on 2 Mile Road.

**Village President's Report:** D. Nelson stated that the Union Grove/Yorkville Fire Commission would appoint a new chairperson at their meeting on Wednesday.

**Administrator/Clerk's Report:** McKinney stated that the June 13 joint Village Board/Plan Commission meeting agenda may include an agenda item related to a certified survey map submitted for the parcel located at 17803 2 Mile Road.

## Public Comments, Questions and Suggestions

No public comments, questions or suggestions were provided.

## Adjournment

***Motion (S. Nelson, Funk) to adjourn, MC.*** The meeting was adjourned at 8:58 p.m. The next scheduled Village Board meeting is Monday, May 23, 2022, at 6:00 p.m.

Michael McKinney  
*Administrator/Clerk*