



## Village Board & Plan Commission Meeting Minutes

Union Grove Municipal Center, 925 15<sup>th</sup> Avenue  
Monday, May 8, 2023

1. **Village Board President, Douglas Nelson, called the meeting to order at 6:01 pm.**

2. **Roll Call**

President - Douglas Nelson. Trustees/Commissioners - Robert Funk, Daniel Maurice, Steve Nelson, Cory Bartlett, Timothy DeGarmo, and Barbara Geschke. Absent: Aaron Alby. Staff Present - Michael McKinney (Administrator/Clerk) and Janine Carls (Deputy Clerk-Treasurer). Others Present - Rebecca Shepro (Attorney), Mark Madsen (Engineer), Jim Willkomm (Willkomm Development LLP), Peter Tuftee (Short Elliott Hendrickson), Robin Christensen (Resident), and two persons representing Culvers.

3. **Approval of Minutes**

*Motion (S Nelson, Maurice) to approve April 24, 2023, Village Board meeting minutes as presented, Motion Carried (MC).*

4. **Approval of Financial Reports**

*Motion (Funk, Bartlett) to approve the April Financial Reports as presented, MC.*

5. **Approval of Village Invoices**

*Motion (Bartlett, S Nelson) to approve Village invoices as presented in the amount of **\$103,970.87**, MC.*

6. **Approval of Stormwater Invoices**

*No stormwater invoices were presented for approval.*

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

Items a., b., and c. pertain to a conditional use application (CUP) submitted by MAP 14100 LLC (with Keith Kindred/Short Elliott Hendrickson and Michael Willkomm/Willkomm Development LLP as applicant/agent) for the vacant parcel located between 904 South Sylvania Avenue (West Frontage Road) and 734 South Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-13-010-040) in the B-3 (Commercial Service) Zoning District to construct a public parking lot associated with an existing truck stop located at 717 South Sylvania Avenue (West Frontage Road).

- a. **Public Hearing**

D. Nelson opened the public hearing at 6:03 pm.

Jim Willkomm stated that this is primarily to increase parking for patrons. "Day drivers" will park a personal car and take their truck out for the day. The goal is to get those cars away from the store. A representative of Culver's restaurant inquired about adding a sidewalk to other businesses in the area for safe access from the parking lot. Robin Christiansen voiced her support for the business.

D. Nelson closed the public hearing at 6:06 pm.

- b. **Village Board/Plan Commission Discussion**

Discussed State and DOT suggestions, several of which have since been incorporated into the plans. The automated ticket gate is there to provide a controlled parking lot with security cameras. No charge but non-customers are limited to 2 hours. The walking path could be something the businesses may be able to work on together with DOT. Madsen inquired about the status of the erosion control permit, lighting and landscaping, trash receptacles, and type of paving. McKinney noted three conditions recommended by Pruitt and Madsen: Title Commitment Required (to verify the existence of any encumbrances.); Reserve the Right to enter this property without prior authorization for the purpose of maintaining, repairing, and or replacing any existing village utility infrastructure; and establishing easements for existing infrastructure if not already in place.

*No action taken on this agenda item.*

c. **Resolution 2023-14**

*Motion (Bartlett, Geschke) to recommend Village Board adoption of Resolution 2023-14 as amended, contingent upon the addition of conditions regarding the location and maintenance of Village utilities, the recording of easements related to those utilities, and a search for any encumbrances involving this property, MC.*

*Motion (S Nelson, Maurice) to accept the Planning Commission's recommendation and adopt Resolution 2023-14 as amended, contingent upon the addition of conditions regarding the location and maintenance of Village utilities, the recording of easements related to those utilities, and a search for any encumbrances involving this property, MC.*

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d. **Public Hearing - The Village Board and Plan Commission will hear public comments on proposed revisions to Chapters 14 and 55 related to adult-oriented establishments**

D. Nelson opened the public hearing at 6:24 pm; no public comments were made, and D. Nelson closed the public hearing at 6:25 pm.

Upon Shepro's recommendation, the public hearing was reopened at 6:26 pm. Shepro provided an in-depth summary of the studies that were used to draft the proposed revisions.

Shepro recommended leaving the public hearing open until the Village Board meeting on June 12, 2023.

*Motion (S Nelson, Bartlett) to leave this public hearing open until the Village Board meeting on June 12, 2023, MC.*

e. **Ordinance 2023-05 Repealing and recreating Division 22 of Chapter 55 of the Code of Ordinances of the Village of Yorkville relating to adult establishment uses**

*No action taken on this agenda item.*

f. **Ordinance 2023-06 Repealing and recreating Article XX of Chapter 14 of the Code of Ordinances of the Village of Yorkville relating to adult-oriented entertainment establishments**

*No action taken on this agenda item.*

g. **Ordinance 2023-07 Repealing and recreating Article V of Chapter 14 of the Code of Ordinances of the Village of Yorkville relating to massage establishments and massage technicians**

*Motion (S Nelson, Maurice) to adopt Ordinance 2023-07 as presented, MC.*

h. **Racine County Intergovernmental Cooperation Council (RCICC) Fire and EMS Municipal Subcommittee appointment**

*Motion (Funk, Maurice) to appoint Cory Bartlett to the RCICC Fire and EMS Municipal subcommittee, MC.*

i. **Special Event Permit application for the Southeast Showdown Tractor Pull, to be held at the Racine County Fairgrounds on Friday, June 9, 2023**

*Motion (S Nelson, Bartlett) to approve the Southeast Showdown Tractor Pull special event permit application as presented with no conditions, MC.*

j. **Special Event Permit application for Nino's 19th Annual Car and Bike Show for the Red, White, and Troops, to be held at the Racine County Fairgrounds on Sunday, July 9, 2023**

*Motion (Funk, Maurice) to approve the Nino's Car and Bike Show special event permit application as presented with no conditions, MC.*

k. **2022-2023 annual Operator License applications submitted by Chelsea Lindsey and Amber Long**

*Motion (Maurice, Bartlett) to approve Operator Licenses for C. Lindsey and A. Long with no conditions, MC.*

**8. Reports**

a. **Building Inspector's Report**

*Motion (Funk, S Nelson) to approve the Building Inspector's Report as presented, MC.*

b. **Code Enforcement Officer's Report**

*Motion (Funk, Bartlett) to approve the Code Enforcement Officer's Report as presented, MC.*

c. **Engineer's Report**

Madsen reported continuing to work on the Stark Paving contract language for the 58<sup>th</sup> RD project. The water tower access road plan may fit within 40 ft, nearing completion. Madsen will work with Pruitt to ensure any property changes that occur due to the development at 2 Mile and Frontage Rd are recorded properly. The Grandview paving project revealed a drainage issue and Madsen recommends the village work with DOT to keep costs down by proposing drain tile installation behind existing curbing rather than curb removal and replacement.

d. **Yorkville Stormwater Utility District Report | No report**

e. **Roads/Public Works Committee Report | No report**

f. **Village President's Report**

D. Nelson stated that the Fire Commission will meet May 10<sup>th</sup> at 6 p.m. and gave a brief description of the City of Delavan Fire Department tour.

g. **Administrator/Clerk's Report**

McKinney reported that WE Energies acknowledged damaging a drain tile on 2 Mile and 53<sup>rd</sup> RD which they will repair. Charter Communications is planning to install broadband from the frontage road south of 58<sup>th</sup> to KR, KR to Crystal Ln, Braun Rd to the canal, and up to 51<sup>st</sup> Dr on 58th. The village is looking for another person to appoint to the Board of Appeals. A recent complaint about dirt bikes may prompt a Long-Range Planning Commission review of the current ordinance. Upcoming for the May 22<sup>nd</sup> meeting: an additional review of the Yorkville Baseball and Softball donation request, a review of a pond permit application submitted by Dan Oakes, and a water tower access plan discussion. Upcoming for the June 12 meeting: a kennel license application submitted by Lori LaMoore and Scott Butler. S. Nelson inquired about a downed tree complaint.

**9. Public Comments, Questions, and Suggestions**

Robin Christensen asked if the tree that was down would be the government's responsibility as it was over a waterway. S. Nelson stated the tree is on private property and the canal is an old drainage ditch, not a navigable stream. The owners would need to take care of it.

**10. Adjournment**

*Motion (S Nelson, Bartlett) to adjourn the meeting at 7:51 pm, MC.* The next scheduled Village Board meeting is May 22, 2023, at 6:00 pm.

Respectfully submitted,

Janine Carls

Village Deputy Clerk-Treasurer