



Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center, 925 15th Avenue
Monday, October 9, 2023

1. **Call to Order** - Douglas Nelson, Village Board President, called the meeting to order at 6:00 p.m.
2. **Roll Call**

President - Douglas Nelson. Trustees/Commissioners - Robert Funk, Daniel Maurice, Steve Nelson, Barb Geschke, Aaron Alby, and Tim DeGarmo. Absent: Cory Bartlett. Staff Present - Michael McKinney (Administrator Clerk), and Janine Carls (Deputy Clerk/Treasurer). Others Present – Rebecca Shepro (Attorney), Nick Carriker (Public Works Manager), Peter Petersen, and Todd Dombrowski.
3. **Consent Agenda**
 - a. September 25, 2023, Village Board meeting minutes
 - b. Financial reports
 - c. Village invoices in the amount of \$160,701.46
 - d. Stormwater invoices in the amount of \$80.00
 - e. Issuance of a 2023-2024 annual Operator License to Samantha Serak
 - f. Building Inspector's Report
 - g. Code Enforcement Officer's Report

Motion (Maurice, S. Nelson) to approve the Consent Agenda items as presented, Motion Carried (MC).
4. **Business - Discussion and possible action on the following:**
 - a. **Resolution 2023-26 Setting forth the amended Relocation Order of the Village of Yorkville affecting certain property located at 1520 Grandview Parkway (Parcel ID # 194-03-21-13-029-016) in the Village of Yorkville, Racine County, Wisconsin**

McKinney noted that this resolution corrects Resolution 2023-16, adopted in June 2023, to include a walking trail construction easement.

Motion (S. Nelson, Funk) to adopt Resolution 2023-26 as amended, MC.
 - b. **Wirth + Baynard 17806 Spring Street (CTH C) property maintenance legal services engagement letter**

McKinney reminded the Village Board of their motion made in open session on August 28, 2023, to retain Joseph Wirth's firm for ongoing legal counsel regarding this property and noted the associated fees.

Motion (Maurice, S. Nelson) to approve the Wirth + Baynard 17806 Spring Street (CTH C) property maintenance legal services engagement letter as presented, MC.
 - c. **2024 Wisconsin Humane Society stray and impound animal shelter services agreement**

McKinney noted an increase for 2024 of \$480: contract costs are based on the number of shelter days.

Motion (S. Nelson, Maurice) to approve the 2024 Wisconsin Humane Society stray and impound animal shelter services agreement as presented, MC.
 - d. **Racine County 2050 Comprehensive Land Use Plan update**

Discussed interest in participation. McKinney will send our Yorkville 2050 Land Use Plan to Racine County for their information.

No formal action taken on this agenda item.
 - e. **2024 General Fund and Tax Incremental District Fund annual budgets**

McKinney highlighted updates to the budget draft and noted the TID Fund is still an estimate. Discussed the potential for reduction in planning/zoning revenues and 49th RD paving request. Plan to discuss Badger Book information at the next meeting.

No formal action taken on this agenda item.
5. **Reports**

- a. **Engineer's Report** | No report.
- b. **Stormwater Utility District Report**
S. Nelson noted the next meeting will be Wed. Oct 18th. Drainage Commission meets on Oct. 24th.
- c. **Roads/Public Works Committee Report** | No report.
- d. **Village President's Report** | No report.
- e. **Administrator/Clerk's Report**

McKinney noted that Racine County staff (Behm, Pritzlaff, and Gallagher) may attend the Oct 23rd Village Board Meeting to discuss construction of and funding for a roundabout at Hwy 45 and Hwy A. Flood Plain Zoning ordinance updates to be discussed at the November Village Board & Plan Commission meeting. Other upcoming items include discussing stormwater project funding and reviewing Yorkshire Highlands' agreements. Asphalt Contractors are still finishing work at Yorkville Meadows to meet DOT requirements.

6. Public Comments, Questions, and Suggestions | No public comments.

7. Business - Discussion and possible action on the following

- a. **Closed Session:** The Village Board may entertain a motion to go into CLOSED SESSION pursuant to Wisconsin Statutes Section 19.85(1)(g)* to discuss the notice of violation enforcement postponement request approved by the Village Board on September 12, 2022, for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 365 days to expire on November 8, 2023, and issues related thereto; and pursuant to Wisconsin Statutes Section 19.85(1)(e)** to discuss the Two Ski Services grass mowing services agreement and equipment purchase assistance request, and issues related thereto

Motion (S. Nelson, Maurice) to go into CLOSED SESSION at 6:23 p.m. Roll Call – Funk, Yes; Maurice, Yes; D. Nelson, Yes; S. Nelson, Yes. Motion Carried. Also remaining in the closed session were DeGarmo, Alby, Geschke, and Carriker.

Discussed the following with legal counsel:

- Notice of violation enforcement postponement request approved by the Village Board on September 12, 2022, for the parcel located at 14601 Braun Road in the A-2 Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." for a period of 365 days to expire on November 8, 2023
- Two Ski Services grass mowing services agreement and equipment purchase assistance request

- b. **Reconvene into open session:** The Village Board shall RECONVENE INTO OPEN SESSION reserving the right to take action on the matters discussed in CLOSED SESSION and to move to the remaining meeting agenda as posted.

Motion (S. Nelson, Maurice) to reconvene into open session at 7:09 p.m., MC.

Motion (DeGarmo, Geschke) to recommend approval of the notice of violation enforcement postponement request submitted by E&R Manufacturing Co. for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." to October 15, 2025, MC.

Motion (Maurice, S. Nelson) to accept the Plan Commission's recommendation and to approve the notice of violation enforcement postponement request submitted by E&R Manufacturing Co. for the parcel located at 14601 Braun Road (Parcel ID # 194-03-21-36-004-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the continuation of an existing unpermitted business operating as "E&R Manufacturing Co." to October 15, 2025, MC.

The Village Board asked Dombrowski to provide an updated annual mowing cost that includes an accurate accounting of Dombrowski's cost of providing mowing services to the Village.

8. Adjournment

Motion (Maurice, S. Nelson) to adjourn the meeting at 7:12 p.m., MC. The next scheduled Village Board meeting is October 23, 2023, at 6:00 p.m.

Respectfully submitted,
Janine Carls
Village Deputy 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.

** 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.