



## Village Board Meeting Minutes

Union Grove Municipal Center 925 15<sup>th</sup> Avenue  
October 23, 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 - Robert Funk, Daniel Maurice, Steve Nelson, and Cory Bartlett. Staff/Others Present - Michael McKinney (Administrator/Clerk), Janine Carls (Deputy Clerk-Treasurer), Nick Carriker (Public Works Manager), and Mark Madsen (Village Engineer). Public attendees: Chris Gallagher, Roley Behm, and Frank Pritzlaff (Racine County); Jeff and Gretchen Hansen; Dave and Julie Moyer; and Todd Dombrowski.

3. **Consent Agenda - approval of:**

- a. October 9, 2023, joint Village Board/Plan Commission meeting minutes
- b. Village invoices
- c. Stormwater invoices
- d. Operator License application submitted by Dalton Gain

*Motion (Funk, Maurice) to approve the Consent Agenda items as presented, Motion Carried (MC).*

4. **Business - Discussion and possible action on the following:**

a. **Colony Avenue (USH 45)/Plank Road (CTH A) intersection**

Behm stated that the county is in support of a roundabout at this intersection. Pritzlaff presented updated planning diagrams with a smaller footprint, minimal grading, and a center rated for long/heavy trucks. Discussed concerns regarding driveway access to existing properties, farm equipment usability (e.g. space between poles), and lighting impact. McKinney stated that no action was required unless the board opted to draft a resolution in support of the roundabout.

*No action was taken on this agenda item.*

b. **Class "B" Beer License application submitted by De La Torre Restaurants Holding, LLC for 904 South Sylvania Avenue (West Frontage Road) for the period of October 24, 2023, through June 30, 2024 (Agent: Eduardo De La Torre) (Premises: Restaurant & Bar) (Business Name: Holy Guac Mexican Grill)**

*Motion (S. Nelson, Bartlett) to approve the Class "B" Beer License application submitted by De La Torre Restaurants Holding, LLC for 904 South Sylvania Avenue (West Frontage Road) for the period of October 24, 2023, through June 30, 2024 (Agent: Eduardo De La Torre) (Premises: Restaurant & Bar) (Business Name: Holy Guac Mexican Grill) as presented, with no conditions, MC.*

c. **Racine County Board of Drainage Commissioners West Branch of the Root River Canal maintenance assessment**

S. Nelson stated that the Storm Water Commission favored the Village of Yorkville paying for the assessment - cost spread across all Yorkville landowners. The commission will meet again on November 2 to discuss financing options. McKinney presented the District Benefit Assessment and noted the Storm Water Commission may use 2024 special charges and fund balance for initial payments. Madsen talked about grant options, noting problems such as the extended time involved and potential re-engineering requirements. A Racine County Board of Drainage Commissioners' special hearing is scheduled for October 24, at 7:00 p.m.

*Motion (Maurice, Funk) to authorize distributing the Racine County Board of Drainage Commissioners West Branch of the Root River Canal maintenance assessment across all Village of Yorkville landowners, MC.*

*Motion (Maurice, Bartlett) to direct the Village Administrator and the Village Attorney to draft a resolution to distribute the Racine County Board of Drainage Commissioners West Branch of the Root River Canal maintenance assessment across all Village of Yorkville landowners, MC.*

d. **Charter Ordinance 2023-01 Repealing and recreating Section 2-114 of the Village of Yorkville Municipal Code of Ordinances related to (1) the separation of the office of Village Administrator/Clerk into the separate appointed offices of Village Administrator and Village Clerk, (2) creation of the office of the Village**

**Finance Director, (3) consolidation of the appointed offices of Village Treasurer and Village Finance Director into the appointed office of the Village Treasurer/Finance Director, and (4) separation of the consolidated office of Village Deputy Clerk-Treasurer into the separate appointed offices of Village Deputy Clerk and Village Deputy Treasurer**

*Motion (Funk, S. Nelson) to adopt Charter Ordinance 2023-01 as presented, MC.*

- e. **Ordinance 2023-11 Amending Sections 54-92 and 54-213 of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, relating to sewer service surcharges**

McKinney noted changes and additions (including the definition of ammonia and new ammonia surcharge). Businesses are charged if they exceed set limits on pollutant discharge.

*Motion (S. Nelson, Maurice) to adopt Ordinance 2023-11 as presented, MC.*

- f. **Resolution 2023-27 Amending sewer service charges for properties within Sewer Utility District No. 1 of the Village of Yorkville**

McKinney stated that the new service charges (residential and commercial) and surcharges have been discussed in prior budgeting process meetings and are recommended by Gary Hanson. Discussed sending letters notifying users of rate changes and surcharges and including literature detailing ways for users to reduce chlorides in their water discharge. Rate changes to be effective January 1<sup>st</sup>, 2024.

*Motion (Bartlett, Funk) to adopt Resolution 2023-27 as amended, with one change amending the chloride surcharge recommended by the Sewer and Water Commission to \$2.00 per pound, MC.*

- g. **Resolution 2023-28 Setting forth the second 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 stated that the first amended order was approved at the last meeting but a second amended order is necessary to include the walking trail in the temporary limited easement.

*Motion (S. Nelson, Bartlett) to adopt Resolution 2023-28 as presented, MC.*

- h. **Wastewater treatment plant debt service payment**

McKinney stated the payment due November 1<sup>st</sup> is \$58,901.31.

*Motion (S. Nelson, Maurice) to authorize payment of the wastewater treatment plant debt service payment as presented in the amount of \$58,901.31, MC.*

- i. **Yorkville-Raymond 2 Mile Road Local Road 50/50 Split Agreement amendment**

McKinney stated that this is to correct an error in the state's road database pertaining to the maintenance agreement we have with Raymond. The amended agreement remains a 50/50 split.

*Motion (Bartlett, S. Nelson) to approve the Yorkville-Raymond 2 Mile Road Local Road 50/50 Split Agreement amendment as presented, MC.*

- j. **Right-of-way Occupancy Permit application submitted by John McEntegart/David J. Frank Landscape Contracting, Inc. on behalf of Merz North America/Stag Yorkville, LLC for the parcel located at 13900 Grandview Parkway (Parcel ID # 194-03-21-13-029-110) to grant after-the-fact approval of the placement of irrigation infrastructure in the Village's right-of-way**

McKinney stated this is pertaining to the discovery that sprinkler systems were found to be in the ROW behind the curb in this section of Grandview Parkway. The approval sets the condition that the Village is not responsible for any damage that may occur. No other conditions were discussed.

*Motion (S. Nelson, Maurice) to approve the right-of-way occupancy permit application submitted by John McEntegart/David J. Frank Landscape Contracting, Inc. on behalf of Merz North America/Stag Yorkville, LLC for the parcel located at 13900 Grandview Parkway (Parcel ID # 194-03-21-13-029-110) to grant after-the-fact approval of the placement of irrigation infrastructure in the Village's right-of-way, with the condition that the Village is not responsible for any damage that may occur to the infrastructure covered by this permit, MC.*

- k. **2023-2024 waste and recycling collection site snow and ice removal services proposal**

McKinney stated that there were no changes to the amount from last year.

*Motion (Funk, Maurice) to approve the Custom Views 2023-2024 waste and recycling collection site snow and ice removal services proposal as presented, MC.*

**l. Badger Book electronic poll book purchase**

Bartlett noted that the Clerk position should reflect the needed skillsets to maintain the equipment and that future budgets may need to include replacement costs.

*Motion (Bartlett, Maurice) to authorize the purchase of four Badger Book electronic poll books in 2024, MC.*

**m. 2024 General Fund**

McKinney noted adjustments due to a calculation error in TID revenue and subsequent reductions to Highway construction. Updated numbers on principal interest on the debt service came in and will be plugged in soon. Discussed Fire Department budget numbers and potential expenses/support for Wisconsin Retirement System costs for UGYFD Fire Department employees.

*No action was taken on this agenda item.*

**5. Reports**

**a. Engineer's Report | No report**

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

**c. Roads/Public Works Committee Report**

Maurice reported that Terry Gifford of Palmen Chevrolet called to report that the parking lot lights had been adjusted per the Village's request.

**d. Village President's Report | No report**

**e. Administrator/Clerk's Report | No Rep**

McKinney noted potential upcoming Board/Plan Commission items including a site plan for an addition to Yorkville Elementary School, a conditional use permit review for a Tobacco & Vape shop; Yorkshire Highlands documents for review, and public hearings related to flood plain, solar, wind, and driveway ordinances. DOT to inspect the Yorkville Meadows intersection this week. McKinney has a public involvement meeting on Wednesday related to the 2 Mile Bridge project. McKinney, Bartlett, and D. Nelson will meet with the county on Thursday to discuss the proposed EMS service consolidation.

**6. Public Comments, Questions, and Suggestions | No 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)(e)\* to discuss 19.85(1)(e)\* to discuss the Two Ski Services grass mowing services agreement and issues related thereto

*Motion (S. Nelson, Maurice) to go into CLOSED SESSION at 7:44 p.m. Roll Call - Funk, Yes; Maurice, Yes; D. Nelson, Yes; S. Nelson, Yes; Bartlett, Yes; Motion Carried. Carriker remained in attendance.*

Discussed the Two Ski services grass mowing services agreement and issues related thereto.

**b. 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 7:58 p.m., MC.*

Bartlett explained the board's counterproposal to Todd Dombrowski, who will follow up with McKinney after considering it.

*No action was taken on this agenda item.*

**8. Adjournment**

*Motion (Funk, Maurice) to adjourn the meeting at 8:07 p.m., MC.* The next scheduled Village Board meeting is November 13, 2023, at 6:00 p.m.

Respectfully submitted,

Janine Carls

Village Deputy Clerk/Treasurer

\* 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.