



Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, April 8, 2024

1. Village Board President, Douglas Nelson, called the meeting to order at 6:12 pm

2. Roll Call

Village Trustees	Plan Commission	Administration	Community
Douglas Nelson, President	Aaron Alby	Michael McKinney, Administrator	Jennifer Larson
Robert Funk	Tim DeGarmo	Janine Carls, Clerk	Anthony & Christa Fox
Dan Maurice	Barb Geschke	Nick Carriker, Public Works Mgr.	Kevin Lewis
Steve Nelson		Tim Pruitt, Attorney	David Casebolt
Cory Bartlett			Matt Gleason

3. Consent Agenda - approval of:

- a. 3/25/2024, Village Board Meeting Minutes
- b. Financial reports
- c. Village invoices
- d. Stormwater Invoices
- e. Building Inspector’s Report
- f. 2023-2024 Annual Operator License, Dana Thomson

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

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

- a. **Site energy system review request submitted by the Therese Rozek Revocable Trust (with Dani Beierschmitt/Arch Solar as applicant/agent) for the construction of a 9.84 kW, 24-panel, ±498-square foot roof-mounted accessory use solar energy system on an accessory structure on the parcel located at 2610 59th Drive (Parcel ID # 194-03-21-16-017-010) in the A-2 Zoning District**

Jennifer Larson with Arch Solar called into the meeting and answered questions about the size, mount type, grid-tied vs battery, and fire risks. Larson stated that this is a pretty standard system that is up to code with no known fire hazards. The building is off the road and should not create aesthetic concerns.

Motion (Alby, DeGarmo) to recommend approval of the proposed energy system as presented, MC.

Motion (Maurice, Bartlett) to approve the proposed energy system as presented, MC.

- b. **Extension request for a conditional use request originally approved on July 10, 2023, to combine two parcels and to construct two ±10,000-square-foot industrial building shells on the resulting parcel, with site work and buildout to be determined once potential commercial tenants are established, at 2232 North Sylvania Avenue (West Frontage Road) and the vacant parcel located immediately to the south of 2232 North Sylvania Avenue (West Frontage Road), Sec. 01, T3N, R21E, Village of Yorkville, Racine County, Wisconsin (Parcel ID #'s 194-03-21- 01-019-000 and 194-03-21-01-020-000); 2232 North Sylvania LLC and 2118 North Sylvania LLC, Owner; Robert Gleason, Applicant/Agent**

McKinney noted this is a 9-month extension request and that only minimal site work has been done.

Motion (Bartlett, S. Nelson) to approve a 9-month extension for Robert Gleason, as requested, MC.

- c. **Extension request for a site plan request originally approved on August 14, 2023, to construct two self-service storage buildings (one 30-foot by 210-foot and one 40-foot by 192-foot) associated with an existing self-service storage facility known as “Storage Authority” at 19039 Spring Street (CTH C), Sec. 20, T3N, R21E, Village of Yorkville, Racine County, Wisconsin (Parcel ID # 194-03-21-20-020-005); Storage Authority/MABKGPNB LLC, Owner; Brian Depies/Short Elliott Hendrickson, Applicant/Agent**
McKinney noted that this 9-month extension request would be the third request and that the agent had been notified that this may be a concern.

Motion (Funk, S. Nelson) to approve a 9-month extension for Storage Authority, as requested, MC.

- d. **Extension request for a conditional use permit originally approved on December 13, 2021, and extended on August 8, 2022 and June 12, 2023, to construct a nine-building self-service storage**

facility on the two vacant parcels located immediately to the west of 19411 Washington Avenue (STH 20), Sec. 07, T3N, R21E, Village of Yorkville, Racine County, Wisconsin (Parcel ID #'s 194-03-21-07-001-022 and 194-03-21-07-001-023); Storage Authority, LLC, Owner; Storage Authority, LLC/Brian Depies/Short Elliott Hendrickson, Applicant/Agent'

This request mirrors that in item c. above with a different address.

Motion (S. Nelson, Maurice) to approve a 9-month extension for Storage Authority, as requested, MC.

- e. **Preliminary certified survey map request submitted by Anthony and Christa Fox (with Kevin Lewis/IG Consulting, Inc. as agent) for the parcel located at 1020 61st Drive (Parcel ID # 194- 03-21-16-017-010) in the A-2 (General Farming and Residential II) Zoning District to allow for the division of this parcel into two 4.00-acre parcels, including a lot line adjustment exchanging 1.03 acres of land with an adjacent parcel on 61st Drive (Parcel ID # 194-03-21-16-017-000) in the A-2 (General Farming and Residential II) Zoning District**

McKinney noted that the original proposal had changed as the proposed lot line adjustment with the adjacent property owner had been rejected by that owner. The new proposal would take one conforming lot and create two non-conforming lots. The new lots would not meet requirements for shape, length-to-width ratios, or frontage area. Discussed concerns about the shared sanitary system. Noted previous requests for similar situations that had been denied. Discussed the definition of a mother-in-law as recorded in the Village of Yorkville ordinances. Kevin Lewis stated that they would continue to look for alternate solutions and remain open to suggestions from the Village.

No formal action was taken.

- f. **Public Hearing - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on proposed revisions to Chapters 50 and 55 of the Village of Yorkville's Municipal Code of Ordinances pertaining to off-road vehicles**

Doug Nelson opened the hearing at 6:49 p.m. and hearing no comments, closed it at 6:49 p.m.

- g. **Ordinance 2024-05 Amending Article III of Chapter 50 of the Code of Ordinances of the Village of Yorkville, Racine County, State of Wisconsin, pertaining to off-road vehicles**

Motion (S. Nelson, Funk) to adopt Ordinance 2025-05 as presented, MC.

- h. **Ordinance 2024-06 Repealing and recreating the definition of the phrase "Off-road vehicle" in Section 20-1, creating and defining the phrase "Off-road vehicle track" in Section 20-1, creating and defining the phrase "Off-road vehicle trail" in Section 20-1, and repealing and recreating Section 20-1226 (14) of the Racine County Code of Ordinances as adopted by the Village of Yorkville under Section 55-1(a) of the Code of Ordinances of the Village of Yorkville, Racine County, State of Wisconsin, pertaining to off-road vehicles**

Motion (DeGarmo, Geshke) to recommend approval of Ordinance 2024-06, as presented, MC.

Motion (Maurice, S. Nelson) to approve Ordinance 2024-06, as presented, MC.

- i. **Bids for the 2024 58th Road and 59th Drive paving and drainage program projects**

McKinney stated that Stark was the lowest bidder for these projects, coming in at \$318,953.49 and \$207,540.94 respectively. The budgeted amount was \$315,000.00. Discussed whether to move forward with both or choose one over the other bearing in mind the conditions of each road and what might be done with remaining funds if only the lesser of the two projects was completed.

Motion, (Maurice, S. Nelson) to approve the bid for 59th Drive, MC.

- j. **Crack Filling Service crack filling proposal**

McKinney reviewed the \$56,000.00 proposal covering 9 different stretches of road.

Motion (Maurice, S. Nelson) to approve the Crack Filling Service proposal, as presented, MC.

- k. **Resolution 2024-06 Designating and appointing committee members and officials to various positions in Village of Yorkville government**

McKinney noted the addition of Alby as an alternate on the Board of Review and that he had not received confirmation from Marjorie Martin who serves on the Sex Offender Residency Appeals Board.

Motion (Maurice, Funk) to approve Resolution 2024-06 as presented, MC.

I. Resolution 2024-07 Approving the Village of Yorkville’s Adjusted Urban Area Boundary

McKinney stated that this is related to census, traffic patterns, and population density. Discussed what, if any, impact on road grants accepting the adjustments presented would have.

Motion (Funk, S. Nelson) to table this agenda item until additional information is available, MC.

m. Resolution 2024-08 Supporting the credentialing of Shepherds College to allow access to Pell Grants and Federal Work Study opportunities

McKinney explained that the US Department of Education recently reversed a 2011 decision that allowed Shepherd’s Home and students there to participate in Federal Student Aid. This Resolution requests U.S. Representative Bryan Steil and his fellow congressional representatives to pursue the creation of a pathway for students to have access to federal grant opportunities.

Motion (S. Nelson, Bartlett) to approve Resolution 2024-08 as presented, MC.

5. Reports

a. Engineers Report | No report

b. Yorkville Stormwater Utility District Report

S. Nelson, McKinney confirmed the agreement drafted to pay back the assessments for canal dredging had been delivered to the Racine County Board of Drainage Commissioners.

c. Roads/Public Works Committee Report

Funk reported that the Roads Committee will continue to develop plans for 2024 maintenance.

d. Village President’s Report

D. Nelson and McKinney attended the last RCICC meeting. There is not much to report except that the next Fire Consolidation Subcommittee meeting will involve both committee members and Fire Chiefs.

e. Clerk’s Report

Carls reported that the election inspectors did a great job and the day went smoothly and gave an update on a licensing matter. Carls is meeting with Allison of Municipal Code Enforcement on April 23rd.

f. Administrator

McKinney stated that the Board of Appeals approved the variance for Yorkville Elementary’s new sign. Upcoming agenda items for May 13th include Echo Lake Foods (noise complaint) and a site plan review for 2626 N. Sylvania Ave. McKinney has not heard back from the DNR regarding silt fence issues at the work site on 49th. McKinney noted that Mark Madsen is planning to retire at the end of the year.

6. Public Comments, Questions, and Suggestions

David Casebolt inquired about the Racine County Drainage District assessment which was answered.

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 Union Grove/Yorkville Fire Department and issues related thereto.

Motion (Bartlett, S. Nelson) to ENTER INTO CLOSED SESSION at 7:37 pm. Roll Call - DeGarmo, Yes; Alby, Yes; Funk, Yes; Maurice, Yes; D. Nelson, Yes; S. Nelson, Yes; Bartlett, Yes; Geshke, Yes. Motion Carried.

Discussed Union Grove/Yorkville Fire Department and issues related thereto.

Motion (S. Nelson, Bartlett) to RECONVENE INTO OPEN SESSION at 8:40 pm., MC.

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.

No action was taken on this agenda item.

8. Adjournment

Motion (S. Nelson, Funk) to adjourn the meeting at 8:40 p.m., MC. The next scheduled Village Board meeting at the time of this submission is April 22, 2024, at 6:00 pm.

* 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.