



Village Board/Plan Commission Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, August 12, 2024

1. Doug Nelson called the meeting to order at 6:01 pm.

2. Roll Call

Trustees/Commissioners	Administration	Community
Doug Nelson, Village President Dan Maurice Steve Nelson Cory Bartlett Tim DeGarmo Barb Geschke Absent: Robert Funk Aaron Alby	Michael McKinney, Administrator Nick Carriker, Public Works Manager Absent: Janine Carls, Clerk	Josh and Elizabeth Kramsky

3. Consent Agenda - approval of:

- a. July 22, 2024, Village Board meeting minutes
- b. Financial reports
- c. Village invoices
- d. Stormwater invoices
- e. Building Inspector’s Report - report on building permits issued and other activity
- f. Code Enforcement Officer’s Report - report on activities and issues
- g. Special Event Permit application submitted by Joseph Briere for Bikers Supporting Trades, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), on Saturday, August 24, 2024
- h. Surrender of the following 2024-2025 licenses for Route 20, 14001 Washington Avenue (STH 20):
 - i. Combination Class B Beer and Liquor License (Agent: Raymond J. Stibeck)
 - ii. Class B Dance Hall License
 - iii. Annual Special Event Permit
- i. 2024-2025 license applications for Route 20 Bar and Grill, 14001 Washington Avenue (STH 20):
 - i. Combination Class B Beer and Liquor License (Agent: Kimberly Parrett)
 - ii. Class A Dance Hall License
 - iii. Annual Special Event Permit

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

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

- a. **Public Hearing - to hear public comment on rezoning and conditional use requests submitted by Joshua Kramsky for the parcel located at 14918 Washington Avenue (STH 20) (Parcel ID # 194-03-21-12-060006) in the R-3 (Suburban Residential - Sewered) Zoning District to allow for the rezoning of this parcel from the R-3 (Suburban Residential - Sewered) Zoning District to the A-2 (General Farming and Residential II) Zoning District and for the storage of two dump trucks within an existing pole barn**
D. Nelson opened the public hearing at 6:03 p.m. Bartlett stated that the trucks must be kept inside. D. Hearing no other comments, D. Nelson closed the public hearing at 6:04 p.m.
- b. **Rezoning request submitted by Joshua Kramsky for ±4.955 acres of land located at 14918 Washington Avenue (STH 20) (Parcel ID # 194-03-21-12-060-006), in the W½ of the SW¼ of Sec. 12, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin, from the R-3 (Suburban Residential - Sewered) Zoning District to the A-2 (General Farming and Residential II) Zoning District**

Bartlett noted that he had received some phone calls regarding noise concerns and hours of operations. Bartlett stated that the area in general is A-2 but the Kramsky's should be mindful of these concerns as they operate. Discussed irregularities in surrounding zoning and how zoning classifications affect property tax assessments. Maurice reiterated that the trucks need to be kept indoors.

- c. **Plan Commission Resolution 2024-02 Recommending approval of an ordinance amending the Racine County Code of Ordinances as adopted by the Village of Yorkville under Section 551(a) of the Code of Ordinances of the Village of Yorkville relating to the proposed rezoning of ±4.955 acres of land located at 14918 Washington Avenue (STH 20) (Parcel ID # 194-03-2112-060-006), in the W½ of the SW¼ of Sec. 12, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin, from the R-3 (Suburban Residential - Sewered) Zoning District to the A-2 (General Farming and Residential II) Zoning District; Joshua Kramsky, Owner; Joshua Kramsky, Applicant/Agent**

Motion (Geschke, DeGarmo), to recommend Village Board approval of Resolution 2024-02, MC.

- d. **Ordinance 2024-13 Amending 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 relating to the proposed rezoning of ±4.955 acres of land located at 14918 Washington Avenue (STH 20) (Parcel ID # 194-03-21-12-060-006), in the W½ of the SW¼ of Sec. 12, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin, from the R-3 (Suburban Residential - Sewered) Zoning District to the A-2 (General Farming and Residential II) Zoning District; Joshua Kramsky, Owner; Joshua Kramsky, Applicant/Agent**

Motion (Maurice, S. Nelson) to accept the recommendation of the Planning Commission and approve Ordinance 2024-13, MC.

- e. **Conditional use request submitted by Joshua Kramsky for the parcel located at 14918 Washington Avenue (STH 20) (Parcel ID # 194-03-21-12-060-006) in the R-3 (Suburban Residential - Sewered) Zoning District to store two (2) dump trucks within an existing pole barn**
- f. **Resolution 2024-19 Approving a conditional use request to store two (2) dump trucks within an existing pole barn at 14918 Washington Avenue (STH 20), Sec. 12, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin (Parcel ID # 194-03-21-12-060-006); Joshua Kramsky, Owner; Joshua Kramsky, Applicant/Agent**

Motion (Geschke, DeGarmo) to recommend Village Board approval of Resolution 2024-19, MC.

Motion (S. Nelson, Maurice) to accept the recommendation of the Planning Commission and approve Resolution 2024-19, MC.

- g. **Public Hearing - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on proposed revisions to Chapters 10 and 28, of the Village of Yorkville's Municipal Code of Ordinances and Chapter 20 of the Racine County Zoning Code as adopted by the Village of Yorkville under Section 55-1(a) of the Village of Yorkville's Municipal Code of Ordinances pertaining to single-family and two-family dwelling requirements**

D. Nelson opened the Public Hearing at 6:12 p.m.

McKinney highlighted changes to minimum floor areas and overall square footage requirements. All residential dwelling types (single-family, two-family, tri-level, ranch, two-story, manufactured and modular) to be built to a minimum square footage of 1400 sq ft and require utility connections. Duplexes require a minimum square footage of 1400 per unit.

No public comments were made, and D. Nelson closed the public hearing at 6:20 p.m.

- h. **Ordinance 2024-09 Amending Sections 20-1020 (3) and (4) of the Code of Ordinances of the Village of Yorkville, Racine County, State of Wisconsin, relating to the minimum square footage for single family dwellings and two-family dwellings**

Motion (DeGarmo, Geschke) to recommend Village Board approval of Ordinance 2024-09, MC.

Motion (S. Nelson, Bartlett) to accept the recommendation of the Planning Commission and approve Ordinance 2024-09, MC.

- i. **Ordinance 2024-10 Amending Sections 10-98 and 28-88 of the Code of Ordinances of the Village of Yorkville, Racine County, State of Wisconsin, relating to the minimum floor areas and foundation requirements for single family dwellings and two-family dwellings and manufactured dwellings, manufactured homes, and modular homes**

Motion (Geschke, DeGarmo) to recommend Village Board approval of Ordinance 2024-10, MC.

Motion (S. Nelson, Maurice) to accept the recommendation of the Planning Commission and approve Ordinance 2024-10, MC.

- j. **Public Hearing - to hear public comment on proposed revisions to Chapter 10 of the Village of Yorkville's Municipal Code of Ordinances and Chapter 20 of the Racine County Zoning Code as adopted by the Village of Yorkville under Section 55-1(a) of the Village of Yorkville's Municipal Code of Ordinances pertaining to storage pods, storage containers, polystructures, and polyshelters**

D. Nelson opened the public hearing at 6:22 p.m.

McKinney highlighted changes especially pertaining to permanent (6 months or more) storage containers (as seen on trains not to exceed 10 ft wide, 20 ft long, and 10 ft high), which will require a building and a zoning permit. These permanent containers will only be permitted on 5-acre parcels within R-2, A-1, A-2, or A-3 zoning districts. Discussed when this becomes effective (will apply to permanent storage containers placed after August 30, 2024.) Discussed definitions of storage pods, containers, polystructures, and polyshelters. Structures can only be located in rear or side yards unless a property does not have a rear or side yard. Cannot be used for human habitation. Fees have not yet been determined for these permits.

No public comments were made, and D. Nelson closed the public hearing at 6:34 p.m.

- k. **Ordinance 2024-14 Amending Sections 20-1, 20-1008, and 20-1115 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, relating to storage pods, storage containers, polystructures, and polyshelters**

Motion (Geschke, DeGarmo) to recommend Village Board approval of Ordinance 2024-14, MC.

Motion (Maurice, S. Nelson) to accept the recommendation of the Planning Commission and approve Ordinance 2024-14, MC.

- l. **Ordinance 2024-15 Creating Section 10-148 of the Code of Ordinances of the Village of Yorkville, Racine County, State of Wisconsin, relating to storage pods, storage containers, polystructures, and polyshelters and reserving Sections 10-149 – 10-180 for future use**

Motion (DeGarmo, Geschke) to recommend Village Board approval of Ordinance 2024-15, MC.

Motion (Bartlett, S. Nelson) to accept the recommendation of the Planning Commission and approve Ordinance 2024-15, MC.

- m. **Resolution 2024-17 Authorizing the Execution and Submission of Required Documents Related to the National Opioid Settlements by Village Staff in Consultation with Retained Litigation Counsel and the Village Attorney**

McKinney recommended not approving this as the costs incurred by the Village for legal fees are trending higher than amounts collected. In addition, any funds received go to the UGYFD and not the Village, so Village costs are not recouped.

Motion (Maurice, Bartlett) to table Resolution 2024-17 indefinitely.

- n. **Racine County Board of Drainage Commissioners pay request for dredging work on the West Branch of the Root River Canal at 2 Mile Road**

McKinney stated that this \$10,000 invoice is to be split between Yorkville and Raymond. The dredging beneath the bridge has been completed (some clean-up to be completed after bridge project is finished – estimated to be in early October). Bartlett asked if this counts towards the overall dredging project cost. McKinney answered that this should be part of it, but there is no written agreement.

Motion (Maurice, Bartlett) to approve the RCBDC pay request as presented, MC.

o. 2025-2027 Affiliated Appraisal, LLC assessment services proposal

McKinney stated that this proposal is like those from Jim Henke in the past. Dan McHugh of Affiliated Appraisal is the assessor for Mt. Pleasant and is recommended by Jim Henke. This proposal is \$30,000 annually plus \$3,000 for software licensing, postage, etc. Henke completed an interim market revaluation for Yorkville in 2021 (annual fee of \$37,000.) McHugh is proposing to do perform interim market revaluations in 2025, 2026 and 2027. 2024 assessments are at 78% of what the State of Wisconsin is assessing properties at. The goal will be to hit 100% in 2025 and to maintain thereafter.

Motion (S. Nelson, Maurice) to approve the Affiliated Appraisal, LLC assessment services proposal, MC.

p. Bids for the Yorkville Water Utility District No. 1 Well #2 drilling and construction project

McKinney stated that three bids were received: Mid City Corporation being the lowest at \$2,068,860.00. SEH is satisfied with this bidder being able to meet the requirements and recommends awarding the bid to Mid City Corporation. Original estimates for this project in January were \$1,591,690.00 – it went up across the board. The project is 40% TID eligible.

Motion (S. Nelson, Bartlett) to approve the bid for Mid City Corporation subject to approval by the Sewer and Water Commission.

q. National Rural Water Association Rural Water Loan Fund application

McKinney stated that Stute had found this loan which allows for borrowing up to \$200,000.00 to offset the cost of a project. There are no administrative or processing fees and the current interest rate is 3%.

Motion (Maurice, Bartlett) to approve the loan fund application completion and submission by McKinney.

r. Communication regarding the classification of solar facilities as agricultural uses

McKinney was tasked with drafting a letter to Robin Vos and Van Wanggaard regarding the classification of large solar facilities as agricultural uses. McKinney's research indicated that the rationale behind the classification is that they are "incidental to a farm activity" (mounting solar to a barn for instance, supports the agricultural use, but taking up 1000s of acres for a solar facility does not fit this rationale as well.) In the letter, McKinney focused on potential impacts that solar facilities have on agriculture. S. Nelson stated that the letter was well written and Maurice, and Bartlett agreed. Discussed inviting other rural municipalities, counties, and organizations (WI Towns Assoc. and WI League of Municipalities, to send similar letters.

Motion (Maurice, S. Nelson) to approve sending the letter to Vos and Wangaard and to the other municipalities and organizations discussed, MC.

5. Reports

a. Engineer's Report | No Report

b. Yorkville Stormwater Utility District Report

Met on August 8 and will meet again on the 29th to determine how to fund the RCBDC dredging project.

c. Roads/Public Works Committee Report

Maurice mentioned that Dover approved ATV and UTV use on roads. Have not heard back on estimates for shouldering. Geschke commented that grass and weeds at county road intersections are getting too high. 59th DR repaving will be starting soon.

d. Village President's Report | No report

e. Public Works Manager's Report | No Report

f. Clerk's Report

The election is tomorrow, August 13, 2024.

g. Administrator's Report

McKinney stated that WE Energies and AT&T utility easements are holding up water tower driveway construction. This is especially time sensitive as the walking path at Racine Metal Fab must be completed by September 30 and the driveway base should be installed before winter. An AT&T pedestal needs to be relocated, but AT&T was not notified. Echo Lake has not submitted a timeline for changes that are planned to reduce noise, and they are not responding to emails requests. McKinney noted that

the Village Board and Plan Commission meeting on September 9th will likely be reviewing a Yorkshire Highlands letter of credit reduction request, a Comprehensive Plan Solar Update, and a conditional use permit request for a 10,000 sq ft addition at Harris Golf Car on Leetsbir. McKinney also reported that Invenergy is providing solar information packets to residents on Braun Rd.

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 the 515 Deer Path (Parcel ID # 194-03-21-12-092-070) property appraisal and issues related thereto**

Motion (S. Nelson, Maurice) to enter into closed session at 7:16 p.m.

Roll Call: Maurice, yes; D. Nelson, yes; S. Nelson, yes; Bartlett, yes.

- 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 7:20 p.m., MC.

8. Adjournment

Motion (S. Nelson, Maurice) to adjourn the meeting at 7:20 pm, MC.

Respectfully submitted,
Janine Carls, Village Clerk

* 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.