



# Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, October 14, 2024

1. Doug Nelson called the meeting to order at 6:00 pm.

2. Roll Call

Trustees/Commissioners	Administration	Community
Doug Nelson, Village President Dan Maurice Steve Nelson Cory Bartlett Aaron Alby (left at 7:35 p.m.) Tim DeGarmo Barb Geschke  Absent: Robert Funk	Michael McKinney, Administrator Janine Carls, Clerk Nick Carriker, Public Works Manager Tim Pruitt, A.T.T.Y	Dan Meier Don Meredith Ray Alderman Allan & Barbara Fritchen Matthew Allgood Nicholas Allgood Dave Navin Dwight & Nancy Dreger

3. Consent Agenda - approval of:

- a. September 23, 2024, Village Board Mtg. Minutes
- b. Financial reports
- c. Village invoices
- d. Stormwater invoices
- e. Building Inspector’s Report
- f. Code Enforcement Officer’s Report

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

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

a. **Extension request for a conditional use request originally approved on January 8, 2024, to expand the existing landscape supply business known as “Erickson’s Landscape Supply” and “JW Erickson Company” at 18917 Spring Street; Jon and Kay Erickson, Owner; Dan Meier/Lynch & Associates, Applicant/Agent**

Discussed status of plans that Erickson’s submitted the Village Engineer. They were reviewed and we are awaiting Erickson’s response to the engineer’s comments review comments.

Motion (Bartlett, S. Nelson) to approve the extension request through July 8, 2025, MC.

b. **Site plan request submitted by Meredith Holdings, LLC (with Bower Design & Construction as applicant/agent) for the parcel located at 19215 Spring Street (CTH C) (Parcel ID # 194-03-2120-020-000) in the B-3 (Commercial Service) Zoning District to construct a ±946 square foot addition of office space to an existing commercial building and to occupy the building and site with a water distribution and service business known as “Meredith Culligan”**

Don Meredith gave an overview of plans to add onto the west side of the show room increasing office space, vehicle storage and retail sales area. He noted a correction to the application stating there will be 20 full-time and 2 part-time employees at this location.

c. **Resolution 2024-24 Approving a site plan request to construct a ±946 square foot addition of office space to an existing commercial building and to occupy the building and site with a water distribution and service business known as “Meredith Culligan” at 19215 Spring Street (CTH C), Sec. 20, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin (Parcel ID # 194-03-21-20-020-000); Meredith Holdings, LLC, Owner; Bower Design & Construction, Applicant/Agent**

Motion (Alby, Geschke) to recommend Village Board approval of Resolution 2024-24 as presented, MC.

Motion (Maurice, Bartlett) to accept the recommendation and approve Resolution 2024-24, MC.

d. **The Village Board and Plan Commission will hold a joint public hearing to hear public comment on rezoning and conditional use requests submitted by RTGA, LLC (with Ray Alderman as applicant/agent) for the parcel located at 19101 Spring Street (CTH C) (Parcel ID # 194-03-21-20-020-002) in the B-3 (Commercial Service) Zoning District to allow for the rezoning of ±1.57 acres of this parcel from the B-3 (Commercial Service) Zoning District to the M-3 (Heavy Industrial) Zoning District**

**and for the construction of a ±9,024 square foot industrial building for the storage of items associated with an existing dairy distribution facility known as “Ray Alderman and Sons, Inc.”**

Doug Nelson opened the public hearing at 6:07 p.m. Ray Alderman stated he would be pulling down an old used car building and constructing a new storage building to house 2 plows, salt, a trailer, and 60-70 school coolers. No other comments were made and the hearing closed at 6:09 p.m.

- e. Rezoning request submitted by RTGA, LLC (with Ray Alderman as applicant/agent) for ±1.57 acres of land located at 19101 Spring Street (CTH C) (Parcel ID # 194-03-21-20-020-002), in the NW¼ of the SW¼ of Sec. 20, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin, from the B-3 (Commercial Service) Zoning District to the M-3 (Heavy Industrial) Zoning District**

Pruitt stated that approval would need to be subject to a comprehensive plan update reflecting the change. This would require proper noticing and affect the project timetable. Alderman questioned why a rezone was needed being that the use was not changing. McKinney read an email from Racine County Zoning explaining why they recommended rezoning. Alderman reiterated that he is only using for storage, not distribution - the usage is not changing. Further discussed whether rezoning was applicable to this situation. Pruitt will investigate this further and will contact Racine County to discuss whether rezoning is necessary.

Motion (Alby, DeGarmo) to recommend tabling items 4.e. through 4.i. until rezoning questions are resolved, MC.

Motion (Maurice, S. Nelson) to accept the recommendation and table items 4.e. through 4.i. until rezoning questions are resolved, MC.

- f. Plan Commission Resolution 2024-04 | Tabled (see 4.e.)**
- g. Ordinance 2024-19 | Tabled (see 4.e.)**
- h. Conditional use request submitted by RTGA, LLC | Tabled (see 4.e.)**
- i. Resolution 2024-25 | Tabled (see 4.e.)**
- j. Public Hearing - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on a conditional use request submitted by Matthew Allgood, Maddie Homok, Nicholas Allgood, and Renee Wurster (with Matthew Allgood as applicant/agent) for the parcel located at 1610 53rd Drive (Parcel ID # 194-03-21-11-014-113) in the A-2 (General Farming and Residential II) Zoning District to obtain after-the-fact approval for the operation of a rural home-based business, including the storage and maintenance of landscaping vehicles and equipment, associated with a tree care business known as “Precision Home Care, LLC”**

D. Nelson opened the public hearing at 6:21 pm. Matthew Allgood described the proposed use. Pruitt reviewed applicable items in the Village’s Home-Based Business ordinance related to rural home-based businesses. These require conditional use permits. Only 7 employees (no more than 3 non-resident employees) are allowed, and it must be secondary to the use of a dwelling unit for residential purposes. It may not change the character of the property they occupy or adversely affect the character of the surrounding area. This type of business may not produce light, noise, vibration, odor, parking demand or traffic impacts that are not typical. Business must be conducted within the dwelling unit or an accessory building. Pruitt noted that there is some flexibility through the conditional use process. Al Fritchen, Matthew Olson, and Gino Antonacci, spoke in opposition to the issuance of a conditional use permit citing concerns with open burning, unsightly piles of mulch shavings, affect on property values, and piles of logs. Fritchen also noted concerns related to plans to use the mulch shavings to regrade the property. D. Nelson closed the public hearing at 6:30 p.m.

- k. Conditional use request submitted by Matthew Allgood, Maddie Homok, Nicholas Allgood, and Renee Wurster (with Matthew Allgood as applicant/agent) for the parcel located at 1610 53rd Drive (Parcel ID # 194-03-21-11-014-113) in the A-2 (General Farming and Residential II) Zoning District to obtain after-the-fact approval for the operation of a rural home-based business, including the storage and maintenance of landscaping vehicles and equipment, associated with a tree care business known as “Precision Home Care, LLC”**

McKinney reviewed the conditional use permit conditions prohibiting burning of materials brought onto the site, prohibiting material stockpiling and/or processing, and requiring that equipment storage in an enclosed building or according to an approved site plan. N. Allgood stated that the mulch piles on site are intended to be used to regrade the property. Discussed land disturbing activity permitting and engineering review requirements that would apply.

- i. Resolution 2024-26 Approving a conditional use request to obtain after-the-fact approval for the operation of a rural home-based business, including the storage and maintenance of landscaping vehicles and equipment, associated with a tree care business known as “Precision Home Care, LLC” at 1610 53rd Drive, Sec. 11, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin (Parcel ID # 194-03-21-11-014-113); Matthew Allgood, Maddie Homok, Nicholas Allgood, and Renee Wurster, Owner; Matthew Allgood, Applicant/Agent**

Discussed concerns regarding vagueness of conditions and that comparable businesses in Yorkville have had to meet strict conditions. It was noted that identifying a landscaping business as agricultural would be a stretch. Inside storage is a must. Board members complimented the applicants on the rapid growth of their business and noted that they are welcome in Yorkville but must operate in a properly zoned area. A “conditional use decision matrix” was used in this decision process.

Motion (DeGarmo, Alby) to recommend denial of Resolution 2024-26, MC.  
Motion (S. Nelson, Maurice) to accept the recommendation and to deny resolution 2024-26, MC.  
Motion (Alby, DeGarmo) to recommend 90 days for owners to comply with zoning ordinances, MC.  
Motion (S. Nelson, Bartlett) to accept the recommendation and require compliance within 90 days, MC.

- m. Public Hearing - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on a proposed update to the Village of Yorkville’s Comprehensive Plan as set forth in a document entitled “Village of Yorkville 2020-2050 Comprehensive Plan”**

D. Nelson opened the public hearing at 7:02 p.m. Dwight Dreger stated concerns about solar related to loss of productive farmland, remediation at end of term, and solar companies selling to 3<sup>rd</sup> party subsidiaries. Assurances were made that the amendments being designed to ensure the Village can retain as much authority as is allowable. Maurice stated that these matters have been discussed at Long Range Planning meetings related to wind and solar. The public hearing closed at 7:15 p.m.

- n. Proposed update to the Village of Yorkville’s Comprehensive Plan as set forth in a document entitled “Village of Yorkville 2020-2050 Comprehensive Plan”**

It was noted that no other comments or feedback had been received regarding the update.

- o. Plan Commission Resolution 2024-03 Recommending approval of an update to the Village of Yorkville’s Comprehensive Plan as set forth in a document entitled “Village of Yorkville 2020-2050 Comprehensive Plan”**

Motion (Alby, DeGarmo) to approve Resolution 2024-03, recommending approval of an update to the Village of Yorkville’s Comprehensive Plan as presented, MC.

- p. Ordinance 2024-16 Adopting an update to the Village of Yorkville’s Comprehensive Plan as set forth in a document entitled “Village of Yorkville 2020-2050 Comprehensive Plan”**

Motion (S. Nelson, Maurice) to adopt Ordinance 2024-16 as presented, MC.

- q. Site plan request submitted by the Village of Yorkville (with the Yorkville Water Utility District #1/Michael McKinney as applicant/agent) for the parcel located at 1400 Grandview Parkway (Parcel ID # 194-03-21-13-029-014) in the M-3 (Heavy Industrial) and P-2 (Recreational Park) Zoning Districts to construct a new redundant water production well (Well #2), with installation of raw water main infrastructure and appurtenances, installation of process piping, valves, and a meter, electrical and controls improvements, installation of a new backup generator, and miscellaneous site restoration**

Dave Navin of Spee-Dee Packaging stated concerns about drainage, noise during the work week, disturbance of his businesses parking lot, and generator tests during business hours. His concerns were noted and addressed. McKinney will have SEH respond to questions about drilling and driving operations plans. There should be no need to utilize the Spee-Dee parking lot.

- r. **Resolution 2024-27 Approving a site plan request to construct a new redundant water production well (Well #2), with installation of raw water main infrastructure and appurtenances, installation of process piping, valves, and a meter, electrical and controls improvements, installation of a new backup generator, and miscellaneous site restoration at 1400 Grandview Parkway, Sec. 13, T3N, R21E, Village of Yorkville, Racine County, State of Wisconsin (Parcel ID # 194-03-21-13-029-014); Village of Yorkville, Owner; Yorkville Water Utility District #1/Michael McKinney, Applicant/Agent**

Motion (Alby, DeGarmo) to recommend approval of Resolution 2024-27, MC.

Motion (Maurice, S. Nelson) to approve Resolution 2024-27 as presented, MC.

- s. **Resolution 2024-28 Recommending approval of SEWRPC Community Assistance Planning Report No. 266 (4th Edition), Racine County Hazard Mitigation Plan Update: 2023-2028**

Motion (Alby, DeGarmo) to recommend approval of Resolution 2024-28, MC.

Motion (Bartlett, Maurice) to approve Resolution 2024-28, MC.

- t. **Resolution 2024-23 Increasing the base charge and equivalent runoff unit (ERU) charge pursuant to Section 54-280 of the Code of Ordinances for the Village of Yorkville, Racine County, State of Wisconsin, and implementing special storm water charges pursuant to Wisconsin Statutes § 66.0627 to cover assessments imposed by the Racine County Board of Drainage Commissioners**

This five-fold increase in rates covers the RCBDC assessment for 5 years.

Motion (Bartlett, Maurice) to approve Resolution 2024-23 as presented, MC.

- u. **East Branch of the Root River Canal tree clearing and debrushing project notification letter**

McKinney stated the letter had been sent; this is for their information only. No action was taken.

- v. **East Branch of the Root River Canal maintenance proposal**

McKinney outlined the proposal and stated that Chris Geary is working on a more robust contract. The contractor is ok with the draft and bond requirement. Work expected to be completed by March 2025. S. Nelson added that the Stormwater Commission is in favor of this, the dates were good, and they would not have to go out to bid. Pruitt recommended the contract include SWUD and Village signatures.

Motion (Maurice, Bartlett) to approve the Root River Canal maintenance proposal as presented, MC.

- w. **2 Mile Road bridge over the West Branch of the Root River Canal weight limits**

McKinney stated that the new bridge requires no weight limit: it is built to a normal Class B standard.

Motion (S. Nelson, Maurice) to approve removal of the weight limit on the 2 Mile Road bridge, MC.

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

McKinney stated that DOT requests that we rescind the resolution opposing this roundabout. Plans are not fully engineered. Maurice expressed concerns about when they would close the road, noting school and agricultural use seasons. McKinney will invite DOT to a future Village meeting.

- y. **2025 Wisconsin Humane Society stray and impound animal shelter services agreement z.**

Motion (S. Nelson, Bartlett) to approve the Wisconsin Humane Society agreement as presented, MC.

- z. **Resolution 2024-29 Allowing voter registration in the Clerk's Office on Election Day**

Motion (S. Nelson, Bartlett) to approve Resolution 2024-29 as presented, MC.

- aa. **2025 general fund, tax incremental district fund, and Debt Service Fund annual budgets**

McKinney noted several updates to budget items. He provided history and information on "Taxes from Regulated Muni Owned Utilities" revenues line item. Fire Department numbers were updated after receiving new numbers from the Fire Department. The only budget item for Debt Service covers payments for the Wastewater Treatment plant (anticipated pay off in 2041.) Will cover TID budget on October 28, 2024, meeting. No action was taken.

## 5. Reports

- a. **Engineer's Report** | No Report, will attend the Sewer and Water Commission meeting 10/15/2024.  
b. **Yorkville Stormwater Utility District Report** | No report in addition to agenda items 4.t. – 4.u.

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

**d. Long-Range Planning/Ordinance Committee Report**

Maurice stated they met on 10/8 and discussed regulation of accessory structures in A-2 zoning (closing loopholes) as well as parking, open burning, public show/special event updates, and zoning ordinances.

**e. Union Grove/Yorkville Fire Commission Report**

D. Nelson reported that the Fire Department presented a reduced budget at the last meeting and the commission had discussed WRS and inspection fees. The open house held on Oct 9<sup>th</sup> had gone well.

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

**g. Public Works Manager's Report | No report**

**h. Clerk's Report**

Carls noted that the election schedule is complete, and In-Person Absentee voting will begin on 10-22-2024. Election Inspector training dates were also set.

**i. Administrator's Report**

There are no submissions for the next Village Board/Plan Commission meeting. Mutter was unable to complete the restoration at 51<sup>st</sup> Dr where tile was replaced (too wet). On October 28, Jordan Brown will present the RECDC report and Jaspersen will make a request to pave Yorkville Meadows CT early.

John Holloway (Town of Paris) called to report that due to lack of committed land for solar Yorkville the project is focusing on getting remaining acreage needed in Paris.

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

**7. Adjournment**

Motion (S. Nelson, Bartlett) to adjourn the meeting at 8:41 pm, MC.
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Respectfully submitted,  
Janine Carls, Village Clerk

Village Board Meetings are normally held on the 2nd and 4th Mondays of each month, jointly with the Planning Commission on the 2<sup>nd</sup> Monday. Schedules and agendas are available at [villageofyorkville.com](http://villageofyorkville.com).