



Joint Village Board/Plan Commission Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, April 14, 2025

1. Call to Order

Doug Nelson called the meeting to order at 6:06 p.m.

2. Roll Call

Doug Nelson (Village President) and Village Trustees Robbie Funk, Dan Maurice, Steve Nelson, and Cory Bartlett were present. Plan Commissioners Tim DeGarmo and Barb Geschke were present; Aaron Alby was absent. A quorum was present. Also present: Michael McKinney, Administrator; Janine Carls, Clerk; Nick Carriker, Public Works Manager; Tim Pruitt, A.T.T.Y.; and Mark Eberle, Village Engineer.

Others in attendance: Matt Gleason, Lakhbir Singh, Scott Laage, Bart Achterberg (attorney), Phillip Kapalczynski, Jeff Knuth, Scott Source, Thomas Hribar, Mike Rivecca, Nicholas Rivecca, and Jerry Werner.

3. Consent Agenda - Any item listed on the consent agenda for approval may be removed at the request of any member of the Board. The request does not require a second, is not discussed, and is not voted upon.

- a. March 24, 2025, 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. Wastewater treatment plant debt service payment in the amount of \$452,004.38 (contingent upon approval by the Sewer and Water Commission)
- h. 2024-2025 gaming machine license application (five video gaming machines and one pull tab machine) for Saffron Grill House, 904 South Sylvania Avenue (West Frontage Road)
- i. Scheduling the Village's 2025 Board of Review on Wednesday, July 16, 2025, at 5:00 p.m.

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

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

- a. Request submitted by Evan Kitelinger for a waiver of Section 38-115 of the Code of Ordinances of the Village of Yorkville, County of Racine, State of Wisconsin, relating to the limitation on the number of driveway entrances, to allow for an application to obtain a permit for a second driveway entrance located at 14000 50th Road (Parcel ID # 194-03-21-01-026-000) in the A-2 (General Farming and Residential II) Zoning District

Evan Kitelinger explained his shared driveway is very narrow and difficult to back into with trailer.

Motion (Funk, Maurice) to approve the waiver request to install a second driveway at 14000 50th Road, MC.

- b. **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 2232 North Sylvania, LLC and 2118 North Sylvania, LLC (with Robert Gleason as applicant/agent) for the parcel located at 2232 North Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-01-019-000) in the M-3 (Heavy Industrial) Zoning District to amend a conditional use request originally approved on July 10, 2023, and extended on April 8, 2024, to include construction of a ±1,972-square-foot addition to an industrial building

Matt Gleason stated that the original plan to have the office inside has changed and the proposed addition is for the office space. D. Nelson opened the Public Hearing at 6:12 p.m. and, hearing no comments, closed the hearing at 6:13 p.m.

- c. Conditional use request submitted by 2232 North Sylvania, LLC and 2118 North Sylvania, LLC (with Robert Gleason as applicant/agent) for the parcel located at 2232 North Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-01-019-000) in the M-3 (Heavy Industrial) Zoning District to amend a conditional use request originally approved on July 10, 2023, and extended on April 8, 2024, to include construction of a ±1,972-square-foot addition to an industrial building

McKinney noted that all conditions existing for the original plan will apply to the amended plan.

- d. Resolution 2025-11 Approving a conditional use request to amend a conditional use request originally approved on July 10, 2023, and extended on April 8, 2024, to include construction of a ±1,972-square-foot addition to an industrial building at 2232 North Sylvania Avenue (West Frontage Road), Sec. 21, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-01-019-000); 2232 North Sylvania, LLC and 2118 North Sylvania, LLC, Owner; Robert Gleason, Applicant/Agent

Motion (DeGarmo, Geschke) to recommend adoption of Resolution 2025-11, approving an amendment to the Conditional Use request for 2232 North Sylvania Avenue to include construction of a ±1,972-square-foot addition to an industrial building, MC.

Motion (Maurice, S. Nelson) to approve the adoption of Resolution 2025-11, as recommended by the Plan Commission, MC.

- e. **Public Hearing** - The Village Board and Plan Commission will continue a joint public hearing to hear public comment on a conditional use request submitted by Liberty Kwik Stop, LLC (with BL Signs, LLC and Lakhbir Singh as applicant/agent) for the parcel located at 611 South Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-13-003-000) in the B-3 (Commercial Service) Zoning District to establish a master sign plan and to construct a 100-foot-tall pole sign

Lakhbir Singh presented photos to provide perspective for height of current sign and proposed signage. He explained that the Citgo sign sits at a lower elevation than the Mobil sign across the highway. He also noted that the proposed sign has a wind load of 115 mph. D. Nelson opened the Public Hearing at 6:19 p.m. and, hearing no comments, closed the hearing at 6:19 p.m.

- f. Conditional use request submitted by Liberty Kwik Stop, LLC (with BL Signs, LLC and Lakhbir Singh as applicant/agent) for the parcel located at 611 South Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-13-003-000) in the B-3 (Commercial Service) Zoning District to establish a master sign plan and to construct a 100-foot-tall pole sign

Discussed lack of other gas station signage this tall in our area. The consensus was to stay within elevation heights of other signage in the surrounding area.

- g. Resolution 2025-12 Approving a conditional use request to establish a master sign plan and to construct a 100-foot-tall pole sign at 611 South Sylvania Avenue (West Frontage Road), Sec. 13, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-13-003-000); Liberty Kwik Stop, LLC, Owner; BL Signs, LLC and Lakhbir Singh, Applicant/Agent

Motion (Bartlett, DeGarmo) to amend Resolution 2025-12 to allow for construction of a pole sign at 611 South Sylvania Ave, from “100-foot-tall pole sign” to “height cannot exceed the highest elevation of the signage at Petro Stopping Centers” (previously Willkomm’s Mobil), MC.

Motion (DeGarmo, Geschke) to recommend adoption of Resolution 2025-12 as amended, MC.

Motion (S. Nelson, Funk) to adopt Resolution 2025-12 as amended to allow for construction of a pole sign at 611 South Sylvania Ave, height not to exceed the highest elevation of the signage at Petro Stopping Centers, as recommended by the Plan Commission, MC.

- h. **Public Hearing** - The Village Board and Plan Commission will continue a joint public hearing to hear public comment on a conditional use request submitted by Matthew Milkie and Stacey Piper-Milkie (with Phillip Kapalczynski/Top Notch Threadrolling, LLC as applicant/agent) 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 operate a rural home-based business known as "Top Notch Threadrolling"

Kapalczynski recapped his business history and current operation. D. Nelson opened the Public Hearing at 6:31 p.m.

Scott Sorce (14705 Braun Rd) spoke in opposition stating concerns related to zoning (should be considered M3) and safety (long-term impacts on nearby soils and wetlands from unregulated operations). Jeff Knuth (14407 Braun Rd) also spoke in opposition, citing concerns related to hazardous chemicals, flammability and environmental. Knuth asked for updates on Fire Department inspections/other testing that may have taken place since the first meeting.

- i. Conditional use request submitted by Matthew Milkie and Stacey Piper-Milkie (with Phillip Kapalczynski/Top Notch Threadrolling, LLC as applicant/agent) 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 operate a rural home-based business known as "Top Notch Threadrolling"

McKinney provided an overview of the Fire Department inspection performed on March 25, 2025, which included photos of MSDS sheets for metalworking fluids and lubricants stored on the property and used for business purposes. He shared his research on those products, including results for HMIS, NFPA, and EPA standards. One of the metal working fluids on site (DURA KOOL H) did contain low concentrations of a chemical (nonylphenol, ethoxylated) that was considered flammable, toxic, and/or hazardous.

Discussed the history of the business on this property but focused on whether this new application qualifies as a rural home-based business accessory use under current ordinances and zoning regulations. Reviewed seven standards used for conditional use requests to determine whether this use is an appropriate fit as a rural home-based business. Noted the concerns raised by neighbors and Commission members, especially related to the presence of hazardous chemicals. Discussed whether any conditions could/should be set to address those concerns.

- j. Resolution 2025-10 Approving a conditional use request to operate a rural home-based business known as "Top Notch Threadrolling" at 14601 Braun Road, Sec. 36, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-36-004-000); Matthew Milkie and Stacey Piper-Milkie, Owner; Phillip Kapalczynski/Top Notch Threadrolling, LLC, Applicant/Agent

Plan Commission took no action on this agenda item.

Motion (S. Nelson, Bartlett) to deny Resolution 2025-12 (Correction – this motion was made to deny Resolution 2025-10 regarding the request to operate a rural home-based business known as "Top Notch Threadrolling". The resolution number was misstated. J. Carls), MC.

- k. **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 Hribar Land Management, LLC (with Thomas Hribar as applicant/agent) for the parcel located at 2221 Raymond Avenue (CTH U) (Parcel ID #'s 194-03-21-04-060-000 and 194-03-21-03-002-000) in the M-3 (Heavy Industrial) and A-2 (General Farming and Residential II) Zoning Districts to construct a ±9,999-square-foot industrial building

Thomas Hribar stated that the building is only for Hribar storage. D. Nelson opened the Public Hearing at 7:19 p.m. Pruitt asked if this request was related to the next agenda item (concrete batch plant) to which Hribar confirmed it is not. Hearing no additional comments, D. Nelson closed the hearing at 7:19 p.m.

- l. Conditional use request submitted by Hribar Land Management, LLC (with Thomas Hribar as applicant/agent) for the parcel located at 2221 Raymond Avenue (CTH U) (Parcel ID #'s 194-03-21-04-

060-000 and 194-03-21-03-002-000) in the M-3 (Heavy Industrial) and A-2 (General Farming and Residential II) Zoning Districts to construct a ±9,999-square-foot industrial building

McKinney stated if approved, there will be a condition that the two parcels must be combined or submit a lot line adjustment to correct setbacks for an existing building that sits on the property line.

- m. Resolution 2025-13 Approving a conditional use request to construct a ±9,999-square-foot industrial building at 2221 Raymond Avenue (CTH U), Secs. 03 and 04, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID #'s 194-03-21-04-060-000 and 194-03-21-03-002-000); Hribar Land Management, LLC, Owner; Thomas Hribar, Applicant/Agent

Motion (Geschke, DeGarmo) to recommend adoption of Resolution 2025-13, approving construction of a ±9,999-square-foot industrial building at 2221 Raymond Avenue, MC.

Motion (Maurice, Funk) to adopt Resolution 2025-13, approving construction of a ±9,999-square-foot industrial building at 2221 Raymond Avenue, as recommended by the Plan Commission, MC.

- n. **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 Hribar Land Management, LLC (with Mike Rivecca/Rivcrete as applicant/agent) for the parcel located at 2221 Raymond Avenue (CTH U) (Parcel ID #'s 194-03-21-04-060-000 and 194-03-21-03-002-000) in the M-3 (Heavy Industrial) and A-2 (General Farming and Residential II) Zoning Districts to construct and utilize a concrete batch plant, including aggregate storage bins, washout station, and occupancy of two industrial buildings

Mike and Nicholas Rivecca provided an update on the number of employees they expect to work at the location. They requested that condition #11 be modified to require written notification rather than authorization for work outside of normal hours. They stated there were fourteen instances in 2023 where emergency work was done outside of normal hours. They also requested that normal hours be extended to 5:00 a.m. to 6:00 p.m. D. Nelson opened the Public Hearing at 7:25 p.m. and hearing no comments closed the hearing at 7:25 p.m.

- o. Conditional use request submitted by Hribar Land Management, LLC (with Mike Rivecca/Rivcrete as applicant/agent) for the parcel located at 2221 Raymond Avenue (CTH U) (Parcel ID #'s 194-03-21-04-060-000 and 194-03-21-03-002-000) in the M-3 (Heavy Industrial) and A-2 (General Farming and Residential II) Zoning Districts to construct and utilize a concrete batch plant, including aggregate storage bins, washout station, and occupancy of two industrial buildings

Additional information: Rivcrete will use Hribar's new office complex and restrooms therein. No industrial buildings are planned. Traffic is not to travel on 50th Road. This is a small batch plant. Lighting will comply with lighting code and provide ample light for safety.

- p. Resolution 2025-14 Approving a conditional use request to construct and utilize a concrete batch plant, including aggregate storage bins, washout station, and occupancy of two industrial buildings at 2221 Raymond Avenue (CTH U), Secs. 03 and 04, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID #'s 194-03-21-04-060-000 and 194-03-21-03-002-000); Hribar Land Management, LLC, Owner; Mike Rivecca/Rivcrete, Applicant/Agent

Motion (DeGarmo, Geschke) to amend condition #11 to require written notification instead of authorization, to extend business hours from 5:00 a.m. to 6:00 p.m., and adopt Resolution 2025-14 as amended, MC.

Motion (S. Nelson, Maurice) to accept the Plan Commission recommendation and adopt Resolution 2025-14 with proposed amendments to condition #11 and normal business hours, MC.

- q. Request #4 for a reduction of Irrevocable Standby Letter of Credit No. 1753 to secure obligations related to implementation of the Yorkshire Highlands subdivision development agreement

McKinney noted that reduction request #4 was reviewed and recommended by Eberle's office.

Motion (S. Nelson, Bartlett) to approve the reduction of letter of credit No. 1753 as presented, MC.

5. Reports

- a. Engineer's Report - report on activities and issues
Eberle stated that Yorkville Meadows would begin paving Thursday or Friday.
- b. Emergency Management Services Report - report on activities and issues | *No report*
- c. Yorkville Stormwater Utility District Report - report on activities and issues | *No report*
- d. Roads/Public Works Committee Report - report on activities and issues | *No report*
- e. Union Grove/Yorkville Fire Commission Report - report on activities and issues | *No report*
- f. Village President's Report - report on activities and issues | *No report*
- g. Public Works Report - report on activities and issues
Carriker reported that drilling had begun for Well #2 and was already down 150 ft.
- h. Clerk's Report - report on activities and issues
Carls noted that the WI DNR requested permission to include UG Memorial Cemetery in a project that will collect random samples from WI cemeteries and document the species of trees/vegetation. Carls noted Committee appointments will be made at the April 28th meeting and to request a change contact Carls or D. Nelson beforehand.
- i. Administrator's Report - report on activities and issues
McKinney reported on recent code enforcement matters including trucks on Braun Road (Sheriff's Department was notified), business activity and outside storage at 17019 Two Mile Road, and notices of violation sent to 20614 Spring Street for unpermitted accessory structures.

6. Public Comments, Questions and Suggestions - 5-minute limit per person

Jerry Werner expressed frustration over the no dumping notice posted at WI Sportsman's that has delayed completion of the berm and resulted in a missed opportunity to obtain free fill. He stated there are state statutes preventing government entities from dictating what can/cannot be done on a public shooting range.

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

- a. Response, or lack of response thereof, to an Offer to Purchase, along with accompanying Addendum 1, presented by the Village of Yorkville for the acquisition of a portion of the property located at 2705 South Colony Avenue (USH 45) (Parcel ID # 194-03-21-20-021-000)
- b. **Closed Session:** The Village Board MAY entertain a motion to go into CLOSED SESSION pursuant to Wis. Stat. § 19.85(1)(e), which allows for 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, to discuss options on how to proceed in regard to any response, or lack of response thereof, to an Offer to Purchase, along with accompanying Addendum 1, presented by the Village of Yorkville for the acquisition of a portion of the property located at 2705 South Colony Avenue (USH 45) (Parcel ID # 194-03-21-20-021-000).
- c. 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

This item was moved to a special meeting held at 5:30 p.m. on April 14, 2025, and not discussed at this meeting.

8. Adjournment

Motion (S. Nelson, Bartlett) to adjourn at 7:56 p.m., MC.

Janine Carls
Clerk