



Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, July 14, 2025

1. Call to Order

Doug Nelson called the meeting to order at 6:00 p.m.

2. Roll Call

Present and constituting a quorum the following Village Board and/or Plan Commission members were present: Doug Nelson, Village President, Robert Funk, Dan Maurice, Steve Nelson, Cory Bartlett, and Aaron Alby. Absent: Barb Geschke and Tim DeGarmo. Staff present: Michael McKinney, Administrator, Janine Carls, Clerk, Nick Carriker, Public Works Manager, Elaine Ekes, Village A.T.T.Y., and Mark Eberle, Village Engineer. Also present: Jon Cameron, Ehlers Inc., and Dan Oakes.

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. June 23, 2025, Village Board meeting minutes
- b. Financial reports
- c. Village invoices
- d. Building Inspector's Report - report on building permits issued and other activity
- e. Code Enforcement Officer's Report - report on activities and issues

Motion (S. Nelson, Maurice) to approve the consent agenda with the exception of the stormwater report, Motion Carried (MC).

S. Nelson inquired about why income generated by taxes was under projection and McKinney responded that there will be one more settlement payment in August.

Motion, (S. Nelson, Bartlett) to approve the stormwater report, MC.

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

- a. Resolution 2025-27 Providing for the Sale of Approximately \$10,485,000 General Obligation Promissory Notes, Series 2025A

Jon Cameron, Senior Municipal Advisor with Ehlers, presented the pre-sale report for the proposed issuance of \$10,485,000.00 general obligation promissory notes (open market securities). This will fund the Fire Station construction, refinance the State Loan used for land acquisition, and part of the Well #2 project (partly financed by a variety of revenue sources). The loan can be prepaid and can be refinanced. Cameron listed the other agencies involved, their specific roles and the necessity for them: Quarles & Brady as bond counsel; Moody Investors Service as rating agency, and Bond Trust Services Corporation as paying agent. He also went over the schedule for debt issuance and how the process works. Cameron also provided tables describing the impact of the debt on taxpayers. Bartlett inquired about opportunities for interest earnings and Cameron confirmed there will be opportunities to earn a good amount of interest.

Motion (S. Nelson, Bartlett) to adopt Resolution 2025-27 providing for the sale of approximately \$10,485,000 in promissory notes, MC. Vote: Ayes: 5, Nays: 0, Abstaining: 0.

- b. Quarles & Brady LLP Scope of Engagement Re: Proposed Issuance of \$10,485,000 Village of Yorkville General Obligation Promissory Notes, Series 2025A

Cameron explained that Quarles & Brady's role is to provide that legal opinion that the debt is able to be issued on a tax-exempt basis and that the Village has the legal means to issue the debt. They may also serve as Disclosure Council on the transaction, a fairly common practice. McKinney stated that the total cost for the Bond Council and Disclosure Council services in the agreement is \$42,930.00.

Motion (S. Nelson, Maurice) to approve Quarles & Brady LLP Scope of Engagement document, MC.

- c. Ehlers & Associates, Inc. Letter of Engagement to Retain Ehlers as Dissemination Agent for Continuing Disclosure Re: Proposed Issuance of \$10,485,000 Village of Yorkville General Obligation Promissory Notes, Series 2025A

Cameron detailed disclosure requirements throughout the life of the debt. This proposal is for Ehlers to serve as the Village's dissemination agent to annually prepare the continuing disclosure report and to watch for and file material events on the Village's behalf as they become necessary. Discussion regarding what triggers the necessity for a full disclosure vs. limited disclosure and understand that if outstanding debt drops below ten million it is possible to move to a limited disclosure (does not happen automatically).

Motion (Maurice, S. Nelson) to approve Ehlers and Associates, Inc. Letter of Engagement to retain Ehlers, MC.

- d. Preliminary certified survey map request submitted by Donald and Linda Schauf (with Dennis Sauer/Metropolitan Survey Service, Inc. as applicant/agent) for the parcel located at 16509 Plank Road (CTH A) (Parcel ID # 194-03-21-15-007-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the division of this parcel into a 4.60-acre parcel and a 31.10-acre parcel

McKinney noted that the updated CSM now includes all required components and requested changes. Discussed non-standard lot shape and McKinney stated that the only reason the lot is not rectangular is due to the shape of the existing parcel next to it and will be a consideration at the time of final review. Maurice added that these parcels have a creek running through them that adds a challenge. No action taken on this agenda item.

- e. **Public Hearing** - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on a conditional use amendment request submitted by TCTS, LLC (with Tom Chambers/Joshua Obert/Walters Buildings as applicant/agent) for the parcel located at 2626 49th Drive (Parcel ID # 194-03-21-01-003-020) in the B-3 (Commercial Service) Zoning District to construct a ±4,998-square-foot storage building (Note: This request replaces a prior conditional use approved on February 10, 2025, for a ±7,500-square-foot multi-tenant commercial building, which will no longer be constructed)

D. Nelson opened the public hearing at 6:38 p.m. No one was present to represent TCTS, LLC. McKinney noted that this is an amendment to reduce the size of the building and change its location on the parcel. Eberle stated that the previous plan triggered a stormwater requirement. He is expecting updated stormwater plans which he will review upon receipt. No public comments made; D. Nelson closed the hearing at 6:41 p.m.

- f. Conditional use amendment request submitted by TCTS, LLC (with Tom Chambers/Joshua Obert/Walters Buildings as applicant/agent) for the parcel located at 2626 49th Drive (Parcel ID # 194-03-21-01-003-020) in the B-3 (Commercial Service) Zoning District to construct a ±4,998-square-foot storage building (Note: This request replaces a prior conditional use approved on February 10, 2025, for a ±7,500-square-foot multi-tenant commercial building, which will no longer be constructed)

D. Nelson opened the public hearing at 6:38 p.m. McKinney stated that this request replaces the one approved on February 10th. Eberle stated that the previous submittal for a larger building in the NW corner of the property had triggered stormwater requirements. The proposal is now for a smaller building on the NE corner of property. Eberle's office received updated civil plans which will be reviewed. No public comments made; D. Nelson closed the public hearing at 6:42 p.m.

- g. Resolution 2025-28 Approving a conditional use amendment request to construct a ±4,998-square-foot storage building at 2626 49th Drive, Sec. 01, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-01-003-020); TCTS, LLC, Owner; Tom Chambers/Joshua Obert/Walters Buildings, Applicant/Agent

Motion (Alby, Bartlett) to approve Resolution 2025-28, MC.

Motion (Maurice, Funk) to approve the recommendation of the planning commission.

S. Nelson asked that the motion be amended to include any additions made by Village Engineers for stormwater.

Motion (Maurice, Funk) to amend the amend the motion to reflect S. Nelson's addition, MC.

Motion (Maurice, Funk) to accept the Planning Commission recommendation to adopt Resolution 2025-28 including engineer's stormwater review, MC.

- h. Land disturbing construction activity permit application submitted by David Neau (with Matt Krok/A.W. Oakes & Son as applicant/agent) for 15530 Durand Avenue (STH 11) (Parcel ID # 194-03-21-26-008-000)
McKinney stated that he received the plans but has not received the application, bond, application fee, or pre-application agreement.

Motion (Funk, Bartlett) to approve the land construction activity permit contingent upon receipt of the application, bond, application fee, and pre-application agreement, MC.

- i. Land disturbing construction activity permit application submitted by Wisconsin Sportsman's Association, Inc. (with Gerald Werner/Tom Miles/Lynch & Associates Engineering Consultants, LLC as applicant/agent) for 16010 Durand Avenue (STH 11) (Parcel ID # 194-03-21-27-014-000)
McKinney stated that all required documents had been submitted. The NOI from the DNR is still in process.

Motion (S. Nelson, Bartlett) to approve the land disturbing construction activity permit application submitted by Wisconsin Sportsman's contingent upon review of Engineer and DNR approval, MC.

- j. Land disturbing construction activity permit application submitted by Daryl L. Poisl, Sr. Revocable Living Trust (with Matt Krok/A.W. Oakes & Son as applicant/agent) for 14814 County Line Road (CTH KR) (Parcel ID # 194-03-21-36-010-000)

Restoration Bond: M. McKinney stated that the required bond has not been received. He noted that Oakes has proposed submitting a \$50,000 performance bond through the DNR.

Zoning and Land Use Concerns: Discussed concerns that the proposed use is not permitted under the property's current zoning classification. S. Nelson expressed that the proposal also conflicts with the 2050 Comprehensive Plan. He noted that significant resident input shaped the plan with the long-term goal of maintaining Yorkville's agricultural community. In response, Oakes argued about the need to expand the tax base and viewed the I-94 corridor as the best opportunity for such growth.

Procedural Issues and Risks: E. Ekes explained the risks to both the Village and the applicant if a permit were issued before the completion of the formal rezone and land use plan amendment processes. The earliest date for a public hearing would be September 8, 2025, assuming the Land Use Plan Amendment and Rezone notices are posted in tandem.

Precedent: The board recalled denying a previous request for a property on Spring Street for similar reasons related to conflicts with existing zoning and land use plans.

Motion (Maurice, S. Nelson) to deny based on it is not an allowable use on the site and in the past, we have turned down very similar applications for similar uses in this type of zoning, MC.

- k. Final certified survey map request submitted by Orazio Pollina (with the Village of Yorkville as applicant/agent) for the parcel located at 2705 South Colony Avenue (USH 45) (Parcel ID # 194-03-21-20-021-000) in the A-2 (General Farming and Residential II) and R-2 (Suburban Residential District - Unsewered) Zoning Districts to allow for the division of this parcel into a 14.00-acre parcel and an 18.431-acre parcel

McKinney reviewed noting that the only issue is a question about the current lease and crops. There were no questions about the certified survey map. Please see agenda item n. for action on this item.

- l. Second amendment to the offer to purchase between the Village of Yorkville and Orazio Pollina

McKinney outlined the amendment noting that the easement being added to the purchase agreement is at the same cost per acre as the rest of the purchase. Of the Village's additional purchase of .336 acres, Polina will retain an easement of 24 feet. Please see agenda item n. for action on this item.

- m. 2705 South Colony Avenue (USH 45) shared driveway easement agreement with Orazio Pollina

Ekcs stated that she designed the easement agreement to be a flexible document that serves their access purposes but also allows for future uses as well. *Please see agenda item n. for action on this item.*

- n. Resolution 2025-29 Approving the certified survey map, amendment to offer to purchase, and shared driveway easement agreement, authorizing the closing on the acquisition of 14.336 acres of a portion of real property within the Village of Yorkville with a Parcel ID # 194-03-21-20-021-000, and authorizing the execution of documents

Ekcs recommended approval of Resolution 2025-09.

Motion (Alby, Bartlett) to recommend approval of Resolution 2025-09, MC.

Motion (Maurice, S. Nelson) to approve the recommendation of the Planning Commission and adopt Resolution 2025-09, MC.

- o. Intermunicipal agreement with the Village of Union Grove for the Union Grove-Yorkville Fire Department
Ekcs provided an overview of final changes to the agreement. S. Nelson asked for and received confirmation that the cost breakdown percentages for land and building of the new Fire Station would not automatically apply to any future agreement formed between the two Villages.
- p. Resolution 2025-30 Authorizing the execution of the intermunicipal agreement with the Village of Union Grove for the Union Grove-Yorkville Fire Department

Motion (S. Nelson, Bartlett) to adopt Resolution 2025 authorizing the execution of the intermunicipal agreement with the Village of Union Grove for the Fire Department, MC.

- q. Ordinance 2025-12 Amending Article VIII of Chapter 14 of the Code of Ordinances of the Village of Yorkville, County of Racine, State of Wisconsin, relating to fireworks

Motion (Bartlett, S. Nelson) to approve Ordinance 2025-12 Amending Article VIII of Chapter 14 of the Code of Ordinances of the Village of Yorkville, County of Racine, State of Wisconsin, relating to fireworks, including changes to subsection 10 to strike through "annual" and "in celebration of the fourth of July holiday", MC.

- r. Resolution 2025-31 Updating the fee schedule for fees established by Yorkville Village Board policy and various provisions of the Village of Yorkville Code of Ordinances
McKinney outlined the proposed fee schedule. Fireworks fees will remain the same. Private outdoor event permit application fee is set at \$30.00 based on administrative costs for processing. McKinney suggested lowering the Land Disturbing Construction activity permit application fee and using the escrow for any legal or engineering costs. The consensus is to wait on changes to the Land Disturbing Construction fees and to leave out item 10-371(b) pertaining to it.

Motion (S. Nelson, Bartlett) to adopt Resolution 2025-31 of the fee schedule and leave out 10-371(b), MC.

- s. Two Ski Services grass mowing services invoice
McKinney stated that this invoice included additional charges due to the installation of new telephone poles that will need to be mowed around.

Motion (Maurice, Bartlett) to pay the Two Ski invoice, MC.

- t. West Grandview Parkway bollard installation proposal
The proposal was \$8,290.00. Discussed other options such as a large rock or jersey barrier.

Motion (Maurice, Funk) to table this item, MC.

5. Reports

- a. Engineer's Report
Eberle reported receipt of a pay request from Payne and Dolan which is under review. Payne and Dolan received the punch list for 58th Road. Yorkville Meadows has also received their punch list.
- b. Yorkville Stormwater Utility District Report

S. Nelson reported that Union Grove had won their case against the Racine County Board of Drainage Commissioners (RCBDC). RCBDC will meet in a couple of weeks to discuss the ruling.

c. Roads/Public Works Committee Report - report on activities and issues

Funk reported issues with a culvert and ditch at 1616 Yorkville Meadows court. Maurice noted that there are trees overhanging Old Yorkville church to 65th Court; McKinney will notify Racine County. McKinney also noted a request for a dead-end sign on Yorkville Meadows Court.

d. Union Grove/Yorkville Fire Commission Report - report on activities and issues

The Fire Commission will meet at 5:30 p.m. on Monday, July 28th, at the Village Hall.

e. Long-Range Planning/Ordinance Committee Report

LRP last met on July 8th and finished the Fireworks Ordinance approved at this meeting by the Village Board. Maurice reported upcoming discussions will be on changing class B to "no truck" routes. Will meet again on September 9th.

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

g. Public Works Report

Carriker reported that lab reports for Well #2 are still out, but the overall project remains on track.

h. Clerk's Report

Carls reported that the Board of Review would be in session on Wednesday evening and will have objections. She stated she would be attending online classes all week.

i. Administrator's Report - report on activities and issues

McKinney stated that there is a round of state road funding to apply for. He will add this to the August 28th agenda for discussion on which roads to consider.

6. Public Comments, Questions and Suggestions - None

7. Adjournment

Motion (S. Nelson, Bartlett) to adjourn at 8:44 p.m.

Respectfully submitted,

Janine Carls, *Village Clerk*

Village Board Meetings are normally held on the 2nd and 4th Mondays of each month. Schedules and agendas are available at villageofyorkville.com.

Resolution No. 2025-27

VILLAGE OF YORKVILLE
COUNTY OF RACINE, STATE OF WISCONSIN

RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY
\$10,485,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2025A

WHEREAS, the Village of Yorkville, Racine County, Wisconsin (the "Village") is presently in need of approximately \$10,485,000 for public purposes, including paying the cost of a fire station project and well No. 2 project (collectively, the "Project") and refunding outstanding obligations of the Village, including interest on them (the "Refunding"); and

WHEREAS, it is desirable to borrow said funds through the issuance of general obligation promissory notes pursuant to Section 67.12(12), Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village that:

Section 1. Issuance of the Notes. The Village shall issue its General Obligation Promissory Notes, Series 2025A (the "Notes") in the approximate amount of \$10,485,000 for the purpose of paying the cost of the Project and the Refunding.

Section 2. Sale of the Notes. The Village Board hereby authorizes and directs that the Notes be offered for public sale. At a subsequent meeting, the Village Board shall consider such bids for the Notes as may have been received and take action thereon.

Section 3. Notice of Sale. The Village Clerk (in consultation with Ehlers & Associates, Inc. ("Ehlers")) be and hereby is directed to cause notice of the sale of the Notes to be disseminated in such manner and at such times as the Village Clerk may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the Village Clerk may determine.

Section 4. Official Statement. The Village Clerk (in consultation with Ehlers) shall cause an Official Statement to be prepared and distributed. The appropriate Village officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Official Statement, such certification to constitute full authorization of such Official Statement under this resolution.

Section 5. Reimbursement. The Village Board hereby officially declares its intent pursuant to Treasury Regulation Section 1.150-2 to reimburse any expenditures made in connection with the Project prior to the issuance of the Notes with the proceeds of the Notes in an amount not to exceed \$9,640,000.

Adopted, approved and recorded July 14, 2025.

/s/ Douglas Nelson
Douglas Nelson
President

ATTEST:

/s/ Janine Carls
Janine Carls
Village Clerk

(SEAL)