



Village Board & Planning Commission Joint Meeting Minutes

Union Grove Municipal Center 925 15th Avenue

Monday, April 13, 2026

1. Call to Order

Doug Nelson called the meeting to order at 6:02 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, Cory Bartlett, Robert Funk, Dan Maurice, Steve Nelson, Aaron Alby, and Barb Geschke. Absent: Tim DeGarmo. Staff present: Michael McKinney, Administrator, Janine Carls, Clerk, Nick Carriker, Public Works Manager, and Tim Pruitt, Village Attorney. Also present: Charles and Gail Brand and Bob Brand, Ryan and Kayla Kost, Thomas Hribar, Mike Rivecca, Jason Andersen, and Emily K. Basalla (of Clark Dietz).

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 23, 2026, 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
- f. Humane Officer's Report - report on activities and issues
- g. Scheduling the Village's 2026 Board of Review training on Monday, June 1, 2026
- h. Union Grove/Yorkville fire station/Well # 2 debt service payment in the amount of \$581,035.42
- i. Wastewater treatment plant debt service payment in the amount of \$455,068.78 (contingent upon approval by the Sewer and Water Commission)
- j. Mid City Corporation pay request # 6 for the Yorkville Water Utility District No. 1 Well #2 drilling and construction project in the amount of \$40,059.12 (contingent upon approval by the Sewer and Water Commission)
- k. Village of Union Grove invoice # 1744 in the amount of \$112,700.43 for Union Grove/Yorkville fire station construction-related expenses
- l. Invoices/pay applications recommended for payment by the Union Grove/Yorkville Fire Commission on April 8, 2026
 - i. Pruitt, Ekes & Geary payment in the amount of \$120.20 for invoice # 3698
 - ii. Gurtz Electric Co. payment in the amount of \$14,053.92 for pay application # 2
 - iii. Scherrer Construction payment in the amount of \$155,354.50 for pay application # 4
 - iv. Southport Engineered Systems payment in the amount of \$64,706.59 for pay application # 3
 - v. ECS Midwest, LLC payment in the amount of \$6,517.35 for invoice # 2144252
 - vi. Wendel payment in the amount of \$8,440.54 for invoice # 616501.01-22
 - vii. Wendel payment in the amount of \$38,636.75 for invoice # 616501A-9
 - viii. ECS Midwest, LLC payment in the amount of \$2,625.25 for invoice # 2120371
 - ix. ECS Midwest, LLC payment in the amount of \$8,206.13 for invoice # 2126336
 - x. ECS Midwest, LLC payment in the amount of \$7,468.61 for invoice # 2135553

McKinney requested removal of the ECS Midwest payment (Item l. v.) due to needed corrections.

Motion (S. Nelson, Funk) to approve the consent agenda, removing item l. v., Motion Carried (MC).

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

- a. **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 105 Properties, LLC (with Kost Parts and Racing,

LLC/Ryan and Kayla Kost as applicant/agent) for the parcel located at 2738 North Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-01-001-012) in the M-3 (Heavy Industrial) Zoning District to occupy a portion of the existing industrial building and site with an automotive recycling business known as “Kost Parts and Racing, LLC”

K. Kost stated no site modifications are planned; vehicles will not be stored in view from the road; the business will purchase vehicles at auction, dismantle vehicles, and store/sell parts; scrap will be removed from the site; and fluids (oil, etc.) will be handled through the existing indoor disposal system shared with the trailer repair business using the same disposal contractor.

D. Nelson opened the public hearing at 6:07 p.m. After calling for public comments and receiving none, the hearing was closed at 6:08 p.m.

- b. Conditional use request submitted by 105 Properties, LLC (with Kost Parts and Racing, LLC/Ryan and Kayla Kost as applicant/agent) for the parcel located at 2738 North Sylvania Avenue (West Frontage Road) (Parcel ID # 194-03-21-01-001-012) in the M-3 (Heavy Industrial) Zoning District to occupy a portion of the existing industrial building and site with an automotive recycling business known as “Kost Parts and Racing, LLC”

Bartlett noted that the required conditions listed for this request are typical. No further discussion.

- c. Resolution 2026-16 Approving a conditional use request to occupy a portion of the existing industrial building and site with an automotive recycling business known as “Kost Parts and Racing, LLC” at 2738 North Sylvania Avenue (West Frontage Road), Sec. 01, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-01-001-012); 105 Properties, LLC, Owner; Kost Parts and Racing, LLC/Ryan and Kayla Kost, Applicant/Agent

Motion (Alby, Geschke) to recommend approval of Resolution 2026-16, Motion Carried

Motion (Maurice, S. Nelson) to approve the recommendation of the Planning Commission and adopt Resolution 2026-16, MC.

- d. **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 Hribar Land Management, LLC (with Mike Rivecca/RivCrete Ready Mix as applicant/agent) for the parcel located at 2221 Raymond Avenue (CTH U) (Parcel ID # 194-03-21-03-002-000) in the M-3 (Heavy Industrial) and A-2 (General Farming and Residential II) Zoning Districts to place fill in the floodplain for the purpose of constructing a washout station associated with an existing concrete batch plant

- *Hribar reported washout building constructed on high ground; DNR later identified floodplain encroachment (approx. 10 ft). Consultant retained to work with DNR.*
- ***D. Nelson opened the public hearing at 6:10 p.m.*** *Andersen (17110 50th Rd.) asked about impacts to his property and raised runoff concerns. Basalla (Clark Dietz) stated there is no net fill; fill added during construction was offset by removal in coordination with DNR. Confirmed that Andersen’s property would not be impacted.*
- *No other comments received. D. Nelson closed the public hearing at 6:12 p.m.*

- e. Conditional use amendment request submitted by Hribar Land Management, LLC (with Mike Rivecca/RivCrete Ready Mix as applicant/agent) for the parcel located at 2221 Raymond Avenue (CTH U) (Parcel ID # 194-03-21-03-002-000) in the M-3 (Heavy Industrial) and A-2 (General Farming and Residential II) Zoning Districts to place fill in the floodplain for the purpose of constructing a washout station associated with an existing concrete batch plant

Attorney Pruitt clarified that while the work is already complete, Condition No. 2 remains as stated; McKinney will record the conditional use along with a memorandum from Racine County Development Services confirming the condition has been satisfied.

- f. Resolution 2026-17 Approving a conditional use amendment request to place fill in the floodplain for the purpose of constructing a washout station associated with an existing concrete batch plant at 2221

Raymond Avenue (CTH U), Sec. 03, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-03-002-000); Hribar Land Management, LLC, Owner; Mike Rivecca/RivCrete Ready Mix, Applicant/Agent

Motion (Alby, Geschke) to recommend approval of Resolution 2026-17, MC.

Motion (S. Nelson, Maurice) to accept the Planning Commission recommendation and adopt Resolution 2026-17, MC.

- g. Request for reconsideration of certain conditions of Resolution 2026-04, approved on February 9, 2026, and entitled "Approving a conditional use request to operate a rural home-based business (currently operating without zoning approval) known as "Brand Construction, LLC" at 16122 50th Road, Sec. 03, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-03-022-000); Gail Brand, Owner; Gail Brand, Applicant/Agent"

Administrator McKinney outlined the conditions under review: quadruple zoning permit fees, removal of accessory living quarters, employee limits, and outside storage prohibitions.

Bob Brand, representing the applicant, requested the following amendments to the conditions:

- *Zoning Fees: Requested a reduction of the quadruple permit fee, noting that while building permits were obtained, the conditional use permit was missed during that process.*
- *Living Quarters: Requested time to pursue a Certified Survey Map (CSM) and parcel division to bring the accessory structure living quarters into compliance with "after-the-fact" permits.*
- *Employee Limits: Requested an allowance for 8–10 employees, clarifying that most staff are off-site during the day with only one office manager remaining on the property.*
- *Outside Storage: Requested permission for outside storage for approximately eight vehicles/pieces of equipment, noting the items are not visible from the roadway and have generated no neighbor complaints.*

- h. Amendment to certain conditions of Resolution 2026-04, approved on February 9, 2026, and entitled "Approving a conditional use request to operate a rural home-based business (currently operating without zoning approval) known as "Brand Construction, LLC" at 16122 50th Road, Sec. 03, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-03-022-000); Gail Brand, Owner; Gail Brand, Applicant/Agent"

Based on discussion with Attorney Pruitt, the following amendments were proposed:

- **Condition 1. Zoning Permit:**
Eliminate the quadruple fees and reduce the zoning permit fee to the standard fee of \$265.00.
- **Condition 4. Accessory Structure Living Quarters Removal.**
Amend to read as follows: "Accessory Structure Living Quarters Removal. Within six months of approval of the conditional use permit, the applicant shall remove the illegal living quarters from the detached accessory structure or otherwise bring the property into compliance with the zoning code."
- **Condition 7. Rural Home-Based Business Supplemental Regulations.**
Amend to allow a maximum of 15 employees, up to 3 on-site employees.
- **Condition 8. Outdoor Storage.**
Amend to allow outdoor storage of no more than 12 vehicles, products, parts, machinery or similar materials or equipment associated with the rural home-based business.

Motion (Alby, Geschke) to recommend approval of amendments to Resolution 2026-04 with changes discussed with Attorney Pruitt taking notes, to include a one-time zoning permit fee of \$265.00, and the changes to number four, seven and eight, MC.

Motion (Bartlett, S. Nelson) to approve the Planning Commission recommendations and amend Resolution 2026-04 as recommended, MC.

i. Yorkshire Highlands stewardship plan amendment

McKinney stated that this amendment seeks to convert a 1.6 acre wetland into a mesic tallgrass prairie. The wetland essentially dried up upon the diversion of the existing drain tile system that fed it into the stormwater swale and pond system for Yorkshire Highlands. McKinney noted that both the Seno K/R LT Conservancy and Attorney Pruitt recommend adoption of the amended stewardship plan and that the prairie will continue to be protected under the stewardship plan.

Motion (Alby, Bartlett) to recommend approval of the site plan amendment for Yorkshire Highlands, MC.

Motion (Maurice, S. Nelson) to accept the recommendation of the Plan Commission and approve the site plan amendment for Yorkshire Highlands, MC.

j. **Public Hearing** - The Village Board and Plan Commission will hold a joint public hearing to hear public comment on proposed revisions to Sections 20-237, 20-257, 20-277, 20-297, 20-317, 20-337, 20-357, 20-377, 20-397, 20-407, 20-417, 20-437, 20-507, 20-677, and 20-1115 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 permitted building heights in certain zoning districts and the method of measuring the height of an accessory structure

D. Nelson opened the public hearing at 7:08 p.m. After calling for public comments and receiving none, the hearing was closed at 7:09 p.m.

k. Ordinance 2026-05 Amending Sections 20-237, 20-257, 20-277, 20-297, 20-317, 20-337, 20-357, 20-377, 20-397, 20-407, 20-417, 20-437, 20-507, 20-677, and 20-1115 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 permitted building heights in certain zoning districts and the method of measuring the height of an accessory structure

McKinney outlined the draft's primary restrictions:

- *Residential: 35-foot maximum for homes; 17-foot maximum for accessory structures.*
- *A-2 zoning district: 35-foot maximum for residential accessory structures, with potential exceptions for primary agricultural use.*
- *Measurement Standard: shifts from "average height" to "highest point" (peak) of the structure.*

The Board and Commission discussed several concerns regarding the practical application of the draft, including:

- *Agricultural Loopholes: The need to prioritize the actual use of a building rather than the zoning district to prevent non-agricultural tall structures in A-2.*
- *Measurement Standards: Potential issues with "highest point" measurements for flat or low-slope roofs.*
- *Visual Impact: A general consensus that the current draft does not sufficiently address community concerns regarding the scale of recent accessory structures.*

The Board agreed the ordinance requires further refinement to meet its intended goals. The item was referred back to the Long-Range Planning Committee. McKinney will consult with the Racine County Zoning Administrator to identify specific gaps in the current code that may need to be addressed.

- i. Ordinance 2026-03 Amending Section 50-91 of the Code of Ordinances of the Village of Yorkville, County of Racine, State of Wisconsin, relating to heavy traffic prohibited; weight limitations; exemptions

The Board and Commission discussed transitioning away from "Class B" road designations to a "heavy-traffic prohibition" model. Discussion centered on:

- *Cost: McKinney presented an estimated cost of \$7,040.00 to replace existing Class B Road signage with updated heavy-traffic prohibition signs.*
- *Signage: Identifying where "No Truck" signs would be required and determining wording that clearly communicates the ordinance, particularly the local delivery exemption.*
- *Legal Authority: Attorney Pruitt explained that while the draft ordinance proposes a 20,000 lb limit, Wisconsin State Law defines "heavy traffic" at a much lower threshold of 6,000 lbs. This statutory difference may explain the lack of feedback from the DOT, as the Village's proposal deviates from the state standard*
- *Enforcement Challenges: Funk and D. Nelson raised concerns regarding how law enforcement would distinguish between prohibited through-traffic and permitted local deliveries.*
- *Rationale for Proposal: Maurice stated that the ordinance changes are being driven by increased traffic and rising resident complaints. He confirmed that the Racine County Sheriff's Office was consulted on the matter.*

Due to unresolved questions and lack of consensus, Ordinance 2026-03 was referred to Long Range Planning for further review and refinement.

Motion (Maurice, Bartlett) to refer Ordinance 2026-03 back to Long-Range Planning, MC.

- m. Resolution 2026-14 Establishing heavy traffic routes in the Village of Yorkville

No discussion or action took place on this item due to its relation to item l. which has been referred to Long-Range Planning for further review and refinement.

- n. Final certified survey map amendment request submitted by the Village of Yorkville (with Michael McKinney/Nielsen Madsen + Barber as applicant/agent) for the parcel located at 2403 South Colony Avenue (USH 45) (Parcel ID # 194-03-21-20-021-001) in the B-3 (Commercial Service) Zoning District to allow for the division of this parcel into a 3.735-acre parcel and a 10.601-acre parcel

McKinney noted that the only change made to this CSM (Resolution adopted in February) is that the easement on the fire station property is being widened from 24' to 48 ½ '. This will allow room for a sidewalk or path on the north side of the driveway.

- o. Resolution 2026-18 Approving a final certified survey map amendment to allow for the division of the parcel located at 2403 South Colony Avenue (USH 45) into a 3.735-acre parcel and a 10.601-acre parcel, Sec. 20, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-20-021-001); Village of Yorkville, Owner; Michael McKinney/Nielsen Madsen + Barber, Applicant/Agent

Motion (Alby, Bartlett) to recommend approval of Resolution 2026-18, MC.

Motion (S. Nelson, Maurice) to accept the recommendation of the Planning Commission and adopt Resolution 2026-18, MC.

- p. 2403 South Colony Avenue (USH 45) cross access and easement declaration

McKinney stated that this easement grants access between Hwy 45 and the parcel that the Village will retain ownership of (lot 2), across the Fire Station parcel. There are no associated maintenance costs on this easement until which time the Village builds on lot 2.

Motion (Funk, S. Nelson) to approve the 2403 South Colony Avenue cross access and easement declaration, MC.

- q. Agricultural lease for the vacant land located at 2403 South Colony Avenue (USH 45) (Parcel ID # 194-03-21-20-021-001)

Rob Funk, identifying as the lessee, recused himself from the matter. McKinney described the lease as including approximately 10.60 acres of land (9.88 acres tillable), to begin on April 10, 2026, and end on December 31, 2030, for agricultural purposes. Rent to be equal to \$153.00 per acre.

Motion (S. Nelson, Maurice) to approve the agricultural lease for land at 2403 South Colony Ave, MC.

- r. Proposed widening of 58th Road at approach to South Colony Avenue (USH 45)/proposed Union Grove High School access driveway to 58th Road

McKinney requested Village Board authorization to complete and submit a WI DOT form on behalf of the Village to allow for Union Grove High School to add a right turn lane on westbound 58th Road at USH 45. S. Nelson noted the need to ensure there are no costs to the Village. Attorney Pruitt recommended pursuing a developer's agreement with the Union Grove High School, clearly outlining their responsibility for any/all associated costs. There were no concerns about potential traffic impacts due to the 58th Road access.

Motion (Maurice, S. Nelson) to table until we have an agreement with Union Grove High School, MC.

- s. 2025-2026 Class "B" beer license and "Class C" wine license application for Saffron Grill House, 904 South Sylvania Avenue (West Frontage Road) (Agent: Jaswinder Singh)

Carls noted that she had no concerns regarding the application.

Motion (Funk, Bartlett) to approve the Class "B" and "Class C" licenses for Saffron Grill House, MC.

- t. Resolution 2026-19 Setting forth and adopting the relocation order of the Village of Yorkville affecting property located within the Village having a parcel ID number of 194-03-21-28-015-030, related to the planned reconstruction of 67th Drive

McKinney stated that this relocation order is for the purpose of replacing the culvert that crosses under 67th Drive from the Union Grove sewer plant. Maurice thanked McKinney for the letter sent to the property owners in advance.

Motion (S. Nelson, Bartlett) to adopt Resolution 2026-19 as presented, MC.

- u. Resolution 2026-20 Adopting a fire prevention inspection fee schedule for the Union Grove-Yorkville Fire Department

McKinney stated the UGYFD Fire Commission proposed implantation of this schedule at their last meeting.

Motion (Bartlett, S. Nelson) to adopt Resolution 2026-20 as presented, MC.

- v. Resolution 2026-21 Updating the fee schedule for fees established by Yorkville Village Board policy and various provisions of the Village of Yorkville Code of Ordinances

McKinney noted that the Fire Commission requested this change to the billing date deadline for fire inspection services from March 15th to July 15th annually.

Motion (S. Nelson, Maurice) to adopt Resolution 2026-21 as presented, MC.

- w. Crack Filling Service crack filling proposal

McKinney stated that the amount for this proposal is \$50,000.00 and includes Savage and Log Cabin, 65th Drive, 65th Court, Woodland Waters, 50th RD (between 53rd D and U), and 53rd DR. Funk confirmed with McKinney that he had asked them to look at the sewer plant lot when they are in town next. Bartlett noted that they have done good work year after year and the roads chosen fit with findings from the roads tour.

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

- x. Westbrook Associated Engineers, Inc. 2026 bridge inspection services proposal

McKinney stated the proposal covers four different bridges in Yorkville; inspections are required every other year. The cost of the inspection is \$4,250.00 (budgeted \$4,500.00).

Motion (S. Nelson, Bartlett) to approve the Westbrook Associated Engineers, Inc. 2026 bridge inspection services proposal in the amount of \$4,250.00, MC.

5. Reports

- a. Engineer's Report – No report

- b. Yorkville Stormwater Utility District Report – S. Nelson

Plans to attend the April 14th meeting.

- c. Roads/Public Works Committee Report – R. Funk

Roads Tour was completed; working on recorded issues. Carls asked for information regarding Rosendale Drive. Funk stated that they plan to add gravel and have county regrade it this year; not able to pave this year. Carls will contact Donna Hammes, sole resident of Rosendale Drive.

- d. Union Grove/Yorkville Fire Commission Report – No report

- e. Village President's Report – No report

- f. Public Works Report – No report

- g. Clerk's Report – J. Carls

Reviewed expiring committee appointments up for renewal to be on the April 27th agenda.

Noted the April 7th election went well; about a 38% turnout.

- h. Administrator's Report – M. McKinney

McKinney and Carriker have a meeting on April 14th with representatives from the Southeastern Wisconsin Regional Planning Commission (SEWRPC), the Wisconsin Department of Natural Resources (DNR), and Short Elliot Hendrickson (SEH) to discuss amending the Sanitary Sewer Service Area (SSA).

Confirmed availabilities for a closed session at 5:30 on April 27th to discuss 17806 Spring St. property maintenance.

Noted that a closed session may be held at the end of the regular meeting on April 27th to discuss 14017 Durand Ave. property maintenance.

6. Public Comments, Questions and Suggestions – No comments

7. Adjournment

Motion (S. Nelson, Funk) to adjourn at 8:37 p.m., MC.

Respectfully submitted,

Janine Carls

Clerk

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