

August 12, 2013

The regular meeting of the Yorkville Town Board & Planning Commission was called to order at 6:00 PM, August 12, 2013 by Chairman Peter L. Hansen in the Yorkville Town Board room, 925 15th Avenue, Union Grove. Present were Chairman Hansen, Supervisors Gruhn and McMahon, Commissioners Nelson, Geschke, Root and Skewes, Engineer Madsen and the Clerk-Treasurer. Absent was Commissioner Fink.

Minutes of the July 25th meeting were approved on a motion from Supervisor McMahon, second by Supervisor Gruhn and motion carried.

The financial report was accepted as printed on a motion from Supervisor McMahon, second by Supervisor Gruhn and motion carried.

Invoices in the amount of \$43,714.21 were approved for the Town of Yorkville on a motion from Supervisor Gruhn, second by Chairman Hansen and motion carried.

The one invoice in the amount of \$156.99 was approved for the Town of Yorkville Storm Water Utility District on a motion from Supervisor McMahon, second by Supervisor Gruhn and motion carried.

Cheryl Mazmanian of the Western Racine County Health Department addressed the meeting with an overview of the services offered to the Town with their present public health services contract. With the contract due to expire on December 31, 2013, the Board had requested her presence before a final decision is made on who will be selected to provide such services. She told of environmental services needing to be done according to state statute for inspections of all restaurants. Central Racine County Health Department has become an agent for the state and thus have been doing local inspections for the state. Cheryl reviewed the services offered including free pregnancy testing, free car seats, immunization clinics, lead screening, and have recently opened a health care clinic. At this clinic the patients are seen by volunteer physicians etc. Chairman Hansen questioned the healthcare network with Cheryl noting they provide a four hour time period every Wednesday for this service which helps to keep people out of emergency rooms. The Town of Yorkville now pays a 7% allocated fee for the shared services of the Western Racine County Health Department which covers only the services we use. The Town will meet soon to select a provider in the health services field according to Hansen.

Thomas Ulrich of 14922 Washington Avenue has a variance request before us requesting permission to construct a 50' X 80' accessory building on his property which would exceed the allowable building height. The 25 acre parcel is currently zoned R3 which is quite unnatural but was zoned in 1980 for possible subdividing and thus is incorrectly zoned now for single family occupancy. Commissioner Gruhn moved to approve the variance as presented requesting

construction of a proposed accessory building which exceeds the allowable building height. Commissioner Nelson seconded the motion which carried. Supervisor McMahon moved that the Town of Yorkville accept the Planning Commission's recommendation and approve the height variance. Supervisor Gruhn seconded the motion which then carried. Racine County Zoning Board of Adjustment has also recently approved the variance.

The Racine County Drainage Board has a request before us for approval of a shoreland contract along with plans for the proposed cleaning/maintenance of Lateral #5 along the north side of 50th Road from the west bank of the West Branch Canal, Section 03, Town 03 North.

Discussion followed as to recent DNR permits being needed with the DNR working directly with the owners of the land. Now that permits are in place, the Town of Yorkville heard Supervisor McMahon move to approve the cleaning and maintenance of lateral #5. Chairman Hansen seconded the motion which then carried.

An operator's license for Anita Bach, 1787 Milldrum, Union Grove was approved on a motion from Supervisor Gruhn, second by Supervisor McMahon and motion carried.

Chairman Hansen announced an application for Temporary Class "B" retailers license for Ranchos Los Pinos Rodeo to be held August 17th from 1PM to 11PM. Israel Vargas of Homerun Heaven, 3400 So. Sylvania Avenue questioned the timeframe of closing at 11PM when he was only allowed to conduct his rodeos until 9PM. After discussion of the two rodeos being on subsequent dates to each other and the request of Vargas to be allowed to use the same time frames, Yorkville Supervisor McMahon moved to approve the Class B license for Ranchos Los Pinos Rodeo on August 17th from 1PM to 11PM with music to be toned down to six decibels after 8PM. Supervisor Gruhn seconded the motion which then carried. Operators licenses for Gildardo Marban and Efrain Marban were approved on a motion from Supervisor McMahon, second by Supervisor Gruhn and motion carried.

Chairman Hansen moved to approve a Temporary Class "B" Retailers License for Israel Vargas, Homerun Heaven, 3400 S. Sylvania Avenue on August 18th with sound to be lowered after 8:00PM. Supervisor McMahon seconded the motion that then carried.

The Board reviewed an asphalt paving quote to repair the 125' X 10' strip on the north side of 58th Road near the intersection at USH 45. Engineer Madsen has inspected the site and agrees the work quoted should repair the recent damage. Supervisor McMahon moved to authorize the contract with Asphalt Contractors, Inc. Supervisor Gruhn seconded the motion which then carried.

James Henke of DH Assessments appeared before the Board and Commission with his proposed assessor service contract to cover the three year period from 2013 to 2016. Henke reviewed the contract and coverage for the Town with upcoming state mandates necessary for

assessment services. Henke stressed that the Town owns the data with Henke holding the license on Market Drive which contains the information. The three year agreement is for \$1800 per month for his services which will include electronic sketching of each building to be added to our records as necessitated by the DOR. Supervisor McMahan moved to approve the three year contract with DH Assessments covering 2013-2016. Supervisor Gruhn seconded the motion which then carried.

The building inspector's report had been submitted and was filed on a motion from Chairman Hansen, second by Supervisor McMahan and motion carried.

Engineer Madsen reports 61st Drive will have the new culvert installed on Wednesday with paving to be done early next week. We have a signed contract now for Payne & Dolan to repave 67th Drive between Spring Street and 58th Road. Arrangements will be set up for dates of work to be done.

The clerk-treasurer reported the need to approve personnel manual changes (with changes to be put in place after the current clerk-treasurer retires on September 1st.) Changes include vacation periods, sick day accumulation and definitions for full time/part time hours. Supervisor McMahan moved to accept the personnel manual changes dated 7/17/13 with the above mentioned exclusion. Supervisor Gruhn seconded the motion which then carried.

Pro Copy has presented the staff a quote on a new copy machine to replace the 2001 Konica copier that recently was determined to be beyond repairs. Supervisor Gruhn moved to approve the bid from Pro Copy in the amount of \$4395 to provide us with a copy machine with functions as noted in the bid. Supervisor McMahan seconded the motion which then carried.

The clerk reported questions on Church Road property needing clean out once more. Supervisor McMahan and Chairman Hansen agreed this clean out is on private property with the Town not being liable for the cleaning of. The only time this work is done by us is when the road and right of way are infringed upon.

Chairman Hansen asked audience members for brief remarks on their common problem with noise from the Echo Lakes Produce Plant on Raymond Avenue. Bill Christensen stated it is 90 days tomorrow when these noise complaints started. He told of recent acoustical additions but they still have the noise. Christine Smith thanked the board for the time they have spent listening to her concerns but they still have trucks creating dust and noise and parking on the roadway. She also questioned OSHA violations as noted in the newspaper. Jason Dye also addressed his concerns. The Town Board members then offered to meet with Brian Jensen, Development Services Superintendent for Racine County and view the Echo Lakes property once more. Chairman Hansen will set up the meeting as soon as possible.

Supervisor McMahon told of recent state budget being passed with the notice that we no longer have any control over cell towers in our community and have preempted our say on them effective July 1, 2013. The cell towers will only be regulated through the County. He also reported the Town's Association has a resolution for increasing the Wis. State. 82.03(2) highway expenditure limit for maintenance and repair of the highways and bridges under the town's jurisdiction. This item will be included on the next board agenda for possible signature. The third update from McMahon was that there is a resolution moving forward to the towns stating they may remove itself from county zoning. Voiced concerns showed that the Town of Yorkville would opt not to drop our county zoning.

Chairman Hansen told of recent communication from Jenny Trick of RCEDC changing rules for the RFI that is seeking land and/or buildings in Racine County. Hansen told of our choice being that we would like the RFI to be delivered to RCEDC and they directly respond to those RFIs on behalf of our community.

With no further business to come before the meeting, Supervisor McMahon moved to adjourn, second by Supervisor Gruhn. The motion carried and Chairman Hansen then adjourned the meeting at 7:25PM.

Judy Aimone, Clerk-Treasurer