

## MINUTES

**TOWN OF YORKVILLE  
TOWN BOARD  
SPECIAL MEETING  
TOWN BOARD ROOM  
WEDNESDAY, SEPTEMBER 25, 2013  
6:00 PM**

### **Call to Order**

Town Board Chair Peter Hansen called the meeting to order at 6:00 p.m.

### **Roll Call**

The following Board members were present: Peter Hansen, Sherry Gruhn and Terrence McMahon. Also present were Ray Leffler representing Woodland Waters, Dan Neider representing Stonecrest Shores, Ray Stibeck representing Route 20 Outhouse, Yorkville Stormwater Utility Chairman Steve Nelson, Engineer Mark Madsen, Attorney Timothy Pruitt, Constable Terrence O'Brien and Clerk-Treasurer Michael McKinney.

### **Approval of Minutes**

***Motion (Gruhn, Hansen) to approve the September 9, 2013 Regular Joint Town Board/Plan Commission meeting minutes as submitted, Motion Carried (MC).***

### **Approval of Town Invoices**

***Motion (Hansen, Gruhn) to approve Town invoices in the amount of \$33,103.59, MC.***

### **Approval of Stormwater Invoices**

***Motion (McMahon, Hansen) to approve Stormwater invoices in the amount of \$143.50, MC.***

### **New Business – Discussion and possible action on all of the following**

**Authorization to lay final course of asphalt in Woodland Waters Subdivision**

**Authorization to lay final course of asphalt in Stonecrest Shores Subdivision**

Leffler informed the Board that he and Neider would like to lay the final course of asphalt in Woodland Waters and Stonecrest Shores to prevent any further deterioration of the base course and to take advantage of reduced costs by having the work done now. Neider noted that the work quoted by Payne and Dolan would include repairing defects in the existing roadway. Pruitt noted that Madsen was in favor of proceeding with the final course and added that the warranty on the work would last for one year, for which a 20% contingency will be held as a guarantee that no issues develop with the final course. He added that the Town currently holds financial guarantees to ensure the work completed in both subdivisions is done properly. Neider noted that the work would likely be completed in two to three weeks, adding that Payne and Dolan will complete both subdivisions at the same time. Leffler added that shouldering would be added along the new asphalt roadways.

***Motion (Gruhn, McMahon) to authorize laying the final course of asphalt in the Woodland Waters and Stonecrest Shores subdivisions, MC.***

**Removal of Frank Lamping, 20506 Durand Avenue, Union Grove, from the Union Grove Parks and Recreation Commission**

Hansen noted that this request was on the agenda due to Lamping's illness-related absences from Parks and Recreation Commission meetings. Hansen requested that McKinney send a letter to Lamping thanking him for his service to the Town.

***Motion (McMahon, Hansen) to remove Frank Lamping, 20506 Durand Avenue, Union Grove, from the Union Grove Parks and Recreation Commission, MC.***

**Appointment of Matthew Peterson, 2414 Thoreau Court, Franksville, to the Union Grove Parks and Recreation Commission**

***Motion (McMahon, Gruhn) to Appoint Matthew Peterson, 2414 Thoreau Court, Franksville, to the Union Grove Parks and Recreation Commission, MC.***

**Application for a 2013-2014 Operator's License by Christopher Lopez**

McKinney noted that the applicant received a municipal citation for driving while intoxicated in 2013. Stibeck noted that the applicant planned to withdraw his application. Stibeck requested that the application be denied since he would no longer employ the applicant.

***Motion (McMahon, Gruhn) to deny the application for a 2013-2014 Operator's License by Christopher Lopez, MC.***

**Application for a Special Event Permit by Israel Vargas for a Rodeo at Homerun Heaven, 3400 South Sylvania Avenue, on September 29, 2013 from 1:00 p.m. to 9:00 p.m.**

***Motion (McMahon, Gruhn) to approve the application for a Special Event Permit by Israel Vargas for a Rodeo at Homerun Heaven, 3400 South Sylvania Avenue, on September 29, 2013 from 1:00 p.m. to 9:00 p.m., MC.***

**Application for a Special Event Permit by Israel Vargas for a Multi-Breed Dog Show at Homerun Heaven, 3400 South Sylvania Avenue, on October 12, 2013 from 9:00 a.m. to 9:00 p.m.**

***Motion (McMahon, Gruhn) to approve the application for a Special Event Permit by Israel Vargas for a Multi-Breed Dog Show at Homerun Heaven, 3400 South Sylvania Avenue, on October 12, 2013 from 9:00 a.m. to 9:00 p.m., MC.***

**Application for a Special Event Permit by VFW Post 7924 for a Fundraiser at the VFW Building on the Racine County Fairgrounds, 19805 Durand Avenue, on September 28, 2013 from 2:00 p.m. to 10:00 p.m.**

***Motion (McMahon, Gruhn) to approve the application for a Special Event Permit by VFW Post 7924 for a Fundraiser at the VFW Building on the Racine County Fairgrounds, 19805 Durand Avenue, on September 28, 2013 from 2:00 p.m. to 10:00 p.m., MC.***

**Application for a Picnic License by VFW Post 7924 at the VFW Building on the Racine County Fairgrounds, 19805 Durand Avenue, on September 28, 2013**

***Motion (Gruhn, McMahon) to approve the application for a Picnic License by VFW Post 7924 at the VFW Building on the Racine County Fairgrounds, 19805 Durand Avenue, on September 28, 2013, MC.***

**Application for a Temporary Operator's License by Kimberly Kasprovicz on September 28, 2013**

***Motion (McMahon, Gruhn) to approve the application for a Temporary Operator's License by Kimberly Kasprovicz on September 28, 2013, MC.***

**Application for a Temporary Operator's License by Scott Kasprovicz on September 28, 2013**

***Motion (McMahon, Gruhn) to approve the application for a Temporary Operator's License by Scott Kasprovicz on September 28, 2013, MC.***

**Proposed Detour Routes during 2014-2015 Reconstruction of STH 20/I-94 Interchange**

The Board discussed the proposed detour routes to be used during the roadwork planned for I-94, STH 20 and CTH C.

***Motion (Hansen, McMahon) to approve the proposed detour routes for the 2014-2015 reconstruction of the STH 20/I-94 interchange and to request that representatives from the Wisconsin Department of Transportation attend a Board meeting later this year to make a presentation on the proposed project, MC.***

**Road Construction and Maintenance Projects for 2014**

The Board discussed several potential maintenance projects for 2014, including shouldering along the east side of 67<sup>th</sup> Drive near 52<sup>nd</sup> Road and along the east side of North Colony Road. The Board also discussed several road improvement projects that might qualify for Town Road Improvement Program funding through Racine County, including Braun Road and 53<sup>rd</sup> Drive. McMahon noted that several towns would still receive this funding before Yorkville would qualify. The Board also discussed issues with semi-trucks using a private road between South Sylvania Avenue and STH 20, causing damage to the road surface. The Board discussed whether the private road could be closed to truck traffic, whether any easements exist for the road and what responsibility or authority exists for the Town to control access to a private road. The Board requested that Madsen investigate the issue and report back to the Board.

***No formal action was taken by the Board on this agenda item.***

## **Reports**

**Constable's Report:** O'Brien provided his report to the Board. He noted that he received two complaints since the last Board meeting, including a complaint of grass being blown into the roadway on 58<sup>th</sup> Road. He added that he was still trying to gain access to the Jenkins property at 17806 Spring Street but still has not been contacted by the Jenkins' attorney on the issue. Pruitt noted that an inspection warrant would be needed to gain access to the property if permission was not otherwise given.

**Building Inspector's Report:** The building inspector was not present to provide his report.

**Engineer's Report:** Madsen provided his report to the Board. He noted that the 61<sup>st</sup> Drive repaving project was complete and added that the 67<sup>th</sup> Drive repaving project was largely completed. He informed the Board that the Town would not receive any Targeted Runoff Management grant funding from the Wisconsin Department of Natural Resources in 2014. He noted that he was still looking into the issues the Town is experiencing with large mounds of material kept at the Roberts property at Highways 20 and 45 and plans to provide an update to the Board at the October 14<sup>th</sup> meeting.

**Clerk's Report:** McKinney provided his report to the Board. He reported that Ray Stibeck had contacted him regarding a proposed 18-and-over concert to be held on October 3, 2013, at Route 20 Outhouse. Stibeck described the proposed event to the Board. Discussion focused on the steps Stibeck should take to ensure that underage attendees would not have access to alcoholic beverages and on the authority granted to the Town Board to approve such events. The Town Board chose to schedule a special meeting on Friday, September 27, 2013 at 8:00 a.m. to address the issue. McKinney also informed the Board that he identified a billing error on the commercial sewer bills sent out in June that caused an under-billing of approximately \$12,000. The Board advised McKinney to send out the September bills with the corrected figures and to schedule the issue for discussion on the upcoming Sewer Commission meeting agenda.

McKinney noted that the Village of Union Grove is proposing an update to their comprehensive plan. He also noted that he has contacted several property, liability and workers compensation insurance providers, who will be providing proposals for the Town Board to review at their budget workshop on October 7<sup>th</sup>. He asked the Town Board if they would have any interest in pursuing life insurance or short- or long-term disability insurance policies for employees, to which the Board replied that they did not wish to pursue those policies at this time. He noted that his review of Town ordinances showed that the current kennel license ordinance does not allow a kennel on a lot of less than 24 acres. The Board advised that this language should not change but felt that a variance procedure should be in place if applicants wish to place a kennel on a lot smaller than 24 acres.

McKinney noted that he plans to add several contract-related items on the next meeting agenda, including contracts for snowplowing at the waste collection site and for the 2013 annual financial audit. He also noted that the Deputy Clerk-Treasurer requested a key for the main entrance to the building. The Board noted that they did not object to the request. Priutt provided an update on the Affordable Care Act, noting that the Wisconsin Retirement System has reversed an opinion that would have classified Yorkville as an employer subject to the "pay or play" provisions of the Affordable Care Act. He added that this reversal might not require that Yorkville offers health insurance to employees that work less than 40 hours per week.

### **Other – Comments, questions and suggestions**

No comments, questions or suggestions were provided.

### **Adjournment**

***Motion (McMahon, Hansen) to adjourn, MC.*** The meeting was adjourned at 7:26 p.m. The next regular Town Board meeting is Monday, October 14, 2013, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*