

MINUTES

**TOWN OF YORKVILLE
JOINT TOWN BOARD/PLAN COMMISSION
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, FEBRUARY 9, 2015**

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. The following Plan Commission members were present: Peter Hansen, Sherry Gruhn, Gary Fink, Douglas Nelson, Robert Root and Nathan Skewes. Barbara Geschke was absent. Also present were John Kurt representing Wildwood Holdings, Bhavesh Patel representing Global Hotels, Racine County Deputy District Attorney Tricia Hanson, Dan Minton, Ronak Patel, Yorkville Stormwater District Commission Chair Stephen Nelson, Engineer Mark Madsen and Clerk-Treasurer Michael McKinney.

Other – Comments, questions and suggestions

Racine County Deputy District Attorney Tricia Hanson discussed her candidacy for Racine County Circuit Court Judge with the Board and Plan Commission.

Approval of Minutes

Motion (Gruhn, McMahon) to approve the January 26, 2015 Town Board meeting minutes as submitted, Motion Carried (MC).

Approval of Financial Reports

Motion (Gruhn, McMahon) to approve the December Town and Stormwater financial reports as submitted, MC.

Approval of Town Invoices

Motion (McMahon, Gruhn) to approve payment of Town invoices in the amount of \$19,427.73, MC.

Approval of Stormwater Invoices

Motion (Gruhn, McMahon) to approve payment of Stormwater invoices in the amount of \$488.60, MC.

New and Unfinished Business – Discussion and possible action on all of the following:

Request submitted by Sylvania Partners, LLC (on behalf of Installation Management, Inc.) for occupancy approval for the property located at 1510 South Sylvania Avenue,

Units 215-216 (Parcel ID # 018-03-21-13-029-015) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said units at this address with office and warehouse space for an installer of consumer appliances for local retailers called “Installation Management”

McKinney provided the following information on this application:

- Proposed activity would be office and warehouse space for Installation Management, which is an installer of consumer appliances for local retailers
- A varying number of on-site employees
- Proposed daily operating hours of 7:00 a.m. to 5:00 p.m.
- No outdoor storage of equipment or materials would be allowed

The Board and Commission also discussed whether conditions should be added prohibiting outdoor parking of work vehicles overnight on the premises.

Motion (Fink, Nelson) to recommend approval of the request submitted by Sylvania Partners, LLC (on behalf of Installation Management, Inc.) for occupancy approval for the property located at 1510 South Sylvania Avenue, Units 215-216 (Parcel ID # 018-03-21-13-029-015) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said units at this address with office and warehouse space for an installer of consumer appliances for local retailers called “Installation Management”, with the condition that no outdoor parking of work vehicles be permitted overnight, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission’s recommendation and to approve the request submitted by Sylvania Partners, LLC (on behalf of Installation Management, Inc.) for occupancy approval for the property located at 1510 South Sylvania Avenue, Units 215-216 (Parcel ID # 018-03-21-13-029-015) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said units at this address with office and warehouse space for an installer of consumer appliances for local retailers called “Installation Management”, with the condition that no outdoor parking of work vehicles be permitted overnight, MC.

Request submitted by Wildwood Holdings, LLC (on behalf of Omnitek Engineering, Inc.) for occupancy approval for the property located at 20911 White Ash Road, Unit C (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District to permit occupancy of said unit at this address with office and warehouse space for a firm called “Omnitek Engineering”, which stores, inspects, analyzes and engineers items involved in insurance-related claims

John Kurt of Wildwood Holdings appeared before the Town Board and Plan Commission to discuss this application. Kurt provided the following information on the application:

- Proposed activity would be office and warehouse space for Omnitek Engineering, an engineering firm that stores, inspects, analyzes and engineers items involved in insurance-related claims
- One to two employees would be on-site at any given time
- One or two vehicles would be parked on-site on a daily basis, with up to four to six vehicles parked on-site on some occasions
- Proposed daily operating hours of 6:00 a.m. to 10:00 p.m.

- No outdoor storage of equipment or materials would be allowed

Motion (Fink, Root) to recommend approval of the request submitted by Wildwood Holdings, LLC (on behalf of Omnitek Engineering, Inc.) for the property located at 20911 White Ash Road, Unit C (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District to permit occupancy of said unit at this address with office and warehouse space for a firm called “Omnitek Engineering”, which stores, inspects, analyzes and engineers items involved in insurance-related claims, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission’s recommendation and to approve the request submitted by Wildwood Holdings, LLC (on behalf of Omnitek Engineering, Inc.) for the property located at 20911 White Ash Road, Unit C (Parcel ID # 018-03-21-31-018-014) in the B-3 (Commercial Service) Zoning District to permit occupancy of said unit at this address with office and warehouse space for a firm called “Omnitek Engineering”, which stores, inspects, analyzes and engineers items involved in insurance-related claims, with no conditions, MC.

Request submitted by Wildwood Holdings, LLC (on behalf of NASHnal Soil Testing, LLC) for occupancy approval for the property located at 20715 Durand Avenue, Unit G (Parcel ID # 018-03-21-31-018-010) in the B-3 (Commercial Service) Zoning to permit occupancy of said unit at this address with office space with a drafting area for plan review, storage space for soil and concrete samples taken from construction sites, and a soil and concrete material testing lab for a firm called “NASHnal Soil Testing”

John Kurt of Wildwood Holdings appeared before the Town Board and Plan Commission to discuss this application. Kurt provided the following information on the application:

- Proposed activity would be office space with a drafting area for plan review, storage space for soil and concrete samples taken from construction sites, and a soil and concrete material testing lab for a company called “NASHnal Soil Testing”
- One to three employees would be on-site at any given time
- One or two vehicles would be parked on-site on a daily basis, with occasional overnight parking of one vehicle
- Proposed daily operating hours of 7:00 a.m. to 6:00 p.m., Monday through Saturday
- No outdoor storage of equipment or materials would be allowed

Motion (Nelson, Skewes) to recommend approval of the request submitted by Wildwood Holdings, LLC (on behalf of NASHnal Soil Testing, LLC) for the property located at 20715 Durand Avenue, Unit G (Parcel ID # 018-03-21-31-018-010) in the B-3 (Commercial Service) Zoning to permit occupancy of said unit at this address with office space with a drafting area for plan review, storage space for soil and concrete samples taken from construction sites, and a soil and concrete material testing lab for a firm called “NASHnal Soil Testing”, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission’s recommendation and to approve the request submitted by Wildwood Holdings, LLC (on behalf of NASHnal Soil Testing, LLC) for the property located at 20715 Durand Avenue, Unit G (Parcel ID # 018-03-21-31-018-010) in the B-3 (Commercial Service) Zoning to permit occupancy of said unit at this address with office space with a drafting area for plan review,

storage space for soil and concrete samples taken from construction sites, and a soil and concrete material testing lab for a firm called "NASHnal Soil Testing", with no conditions, MC.

Application consideration and neighbor notification policies for items generally considered by the Town of Yorkville Plan Commission

The Board and Plan Commission continued their discussion of policies regarding application consideration and neighbor notification for items generally considered by the Plan Commission. John Kurt requested clarification of the application deadline and the policy of notifying neighbors of applications. The Board and Plan Commission suggested that the Town's attorney draft rules and standards regarding application consideration and neighbor notification for each type of request considered by the Plan Commission.

Motion (Hansen, Gruhn) to table consideration of this agenda item, MC.

Collection of Outstanding Hotel Taxes from February 2014 and March 2014 for the Travelodge Hotel, 910 South Sylvania Avenue

McKinney noted that, prior to the hotel being placed in receivership in April 2014, the owner at that time failed to pay hotel taxes due to the Town for February 2014 and March 2014. He stated that Town's final share of the outstanding hotel tax balance from those two months would likely be around \$300.00. He added that the Town could not hold the receiver liable for those outstanding hotel taxes due to the receivership order. He noted that Town ordinances do allow the Town to recover any outstanding hotel tax balances from the new property owner, who just recently acquired the property from the receiver. He added that the Town could also try to collect the outstanding tax balance from the old property owner or could waive collection of the back taxes entirely.

Motion (McMahon, Gruhn) to waive the collection of all outstanding hotel taxes from February 2014 and March 2014 for the Travelodge Hotel, 910 South Sylvania Avenue, MC.

Application for a 2014-2015 annual Hotel/Motel License submitted by Global Hotels, Inc. for the property located at 910 South Sylvania Avenue

Bhavesh Patel of Global Hotels appeared before the Board to discuss this application. He stated that the facility will continue to operate as a hotel and added that he plans to make cosmetic improvements to the interior of the facility.

Motion (Gruhn, McMahon) to grant a 2014-2015 annual Hotel/Motel License to Global Hotels, Inc. for the property located at 910 South Sylvania Avenue, MC.

Request submitted by Global Hotels, Inc. for occupancy approval for the property located at 910 South Sylvania Avenue (Parcel ID # 018-03-21-13-008-040) in the B-3 (Commercial Service) Zoning District to permit occupancy of the facility at this address with a hotel called "Travelodge Sturtevant/Racine"

Motion (Gruhn, McMahon) to approve the request submitted by Global Hotels, Inc. for the property located at 910 South Sylvania Avenue (Parcel ID # 018-03-21-13-008-040)

in the B-3 (Commercial Service) Zoning District for occupancy of the facility at this address with a hotel called "Travelodge Sturtevant/Racine", with no conditions, MC.

Ordinance 2015-01 Amending Chapter 54, Article II, of the Code of Ordinances for the Town of Yorkville Relating to Sanitary Wastes

McKinney noted that these ordinance revisions update regulatory references and revise several definitions within the ordinances, establish chloride limits and change phosphorus limits for wastewater discharge, and creates the authority for the Town Board to establish sewer service charges and surcharges for sewer customers. He added that these ordinance revisions were recommended by the Sewer Utility District Commission in January.

Motion (McMahon, Gruhn) to approve Ordinance 2015-01 as submitted, MC.

Resolution 2015-01 Establishing Sewer Service Charges for Properties within Sewer Utility District No. 1 of the Town Of Yorkville

McKinney stated that this resolution updates the sewer service charges and establishes surcharges for the Yorkville Sewer Utility District in accordance with the ordinance updates recommended by the Sewer Utility District Commission in January and approved by the Board earlier this evening. He added that these charges and surcharges, which would be billed on a quarterly basis and would become effective on July 1, 2015, include the following: residential equivalency unit for residential and non-metered customers, \$55.00 per month (\$165.00 per quarter); volumetric charge for metered customers, \$13.35 per 1,000 gallons used; a surcharge of \$0.50 per pound for customers discharging wastewater with a concentration of biochemical oxygen demand in excess of 200 mg/l; a surcharge of \$0.50 per pound for customers discharging wastewater with a concentration of total suspended solids in excess of 250 mg/l. He added that the resolution would need to be amended, as the implementation date and the charges for residential and non-metered customers in the resolution are incorrect.

Motion (Gruhn, McMahon) to approve Resolution 2015-01 as submitted, MC.

Motion (Hansen, McMahon) to make the following amendments to the approved version of Resolution 2015-01: to change the monthly and quarterly sewer service charge amounts for residential and non-metered customers from \$50.00 and \$150.00 to \$55.00 and \$165.00, respectively; to change the effective date of all new sewer service charges to July 1, 2015, MC.

Motion (McMahon, Gruhn to approve Resolution 2015-01 as amended, MC.

2015 Service Agreement with the City of Racine's Belle Urban System for Bus Transportation Services

Hansen noted that the contract fee for this service is \$6,600.00 in 2015, which is a 10% increase over the 2014 contract fee. He added that this contract continues to cover the bus transportation provided between Grandview Industrial Park and Racine.

Motion (McMahon, Gruhn) to approve the 2015 Service Agreement with the City of Racine's Belle Urban System for bus transportation services as submitted, MC.

Establishing Travel Routes for Overweight Implements of Husbandry

The Board and Plan Commission discussed whether overweight implements of husbandry should not be allowed to travel on certain roads unless use of those roads is required for property access. Discussion focused on certain roads that might need protection from overweight vehicles, such as 61st Drive. The Board and Plan Commission chose to monitor road use in 2015 to see whether any restrictions are needed in the future.

Motion (Hansen, McMahon) to table reconsideration of establishing travel routes for overweight implements of husbandry until 2016, MC.

Spring Weight Limit Restrictions on Town Roads

McKinney noted that WE Energies submitted their annual request to the Town regarding whether any special Spring weight restrictions will be implemented on Town roads in 2015. The Board agreed that no special weight restrictions were necessary at this time.

Motion (Hansen, Gruhn) to establish no special Spring weight limit restrictions on Town roads in 2015, MC.

Scheduling of 2015 Town Road Inspection

The Board agreed to conduct their 2015 Town road inspection on Saturday, April 4, 2015, at 9:00 a.m., beginning at the Union Grove Municipal Center, 925 15th Avenue.

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

Reports

Code Enforcement Officer's Report: The Code Enforcement Officer was not present to provide his report to the Board.

Building Inspector's Report: The Building Inspector was not present to provide his report to the Board.

Motion (Hansen, Gruhn) to accept the Building Inspector's report as submitted, MC.

Engineer's Report: Madsen reported to the Board on the following:

- That the bid opening for the 2015 reconstruction of 69th Drive and 59th Drive has been scheduled for March 3, 2015, at 11:00 a.m. in the Town Board Room
- That he was contacted about potential expansion plans for the property located at 13931 Spring Street. The Board and Plan Commission discussed several issues that might affect such plans, including the limited developable space on the property and whether the property owner could ensure that sufficient green space, parking space and stormwater retention are included in this project. The Board and Plan Commission requested that Madsen talk to the developer to ask for draft plans that could be discussed at a future meeting.

Yorkville Stormwater Utility District Report: Stephen Nelson noted that he had no information to report to the Board.

Clerk's Report: McKinney reported to the Board on the following:

- That the Code Enforcement Officer requested that he report the following to the Board:
 - That he spoke to the owner of the property at 2118 North Sylvania Avenue regarding the number of operational vehicles stored on the east side of the property, adding that the property owner informed him that he would be addressing the issue this week
 - That he posted a notice on the front door of the home at 803 Log Cabin Drive regarding various property maintenance issues there
 - That he investigated a complaint regarding an address sign being covered with masking tape on the property located at 13826 Braun Road
- That the Town's annual audit will be conducted at the end of next week
- That the Milwaukee School of Engineering (MSOE) student presentations on their phosphorus reduction projects for the Sewer Utility will take place on the MSOE campus on Friday, February 13, 2015, beginning at 9:00 a.m.
- That the Union Grove Recreation Commission is asking the Town Board to appoint a Town representative to the Commission to replace the Town representative that resigned from the Commission in December

Other – Comments, questions and suggestions

No comments, questions or suggestions were provided.

Adjournment

Motion (Fink, Gruhn) to adjourn, MC. The meeting was adjourned at 7:21 p.m. The next scheduled Town Board meeting is Monday, February 23, 2015, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer