

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, APRIL 13, 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, Barbara Geschke, Robert Root and Nathan Skewes. Also present were Ellen Jante representing Leadership Union Grove, Dan Prince, Martin Egan, Stormwater District Commission Chair Stephen Nelson, Engineer Mark Madsen, Clerk-Treasurer Michael McKinney and two other attendees.

### Approval of Minutes

***Motion (Gruhn, McMahon) to approve the March 23, 2015 Town Board and March 30, 2015 joint Town Board/Plan Commission meeting minutes as submitted, Motion Carried (MC).***

### Approval of Financial Reports

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

### Approval of Town Invoices

***Motion (Gruhn, McMahon) to approve payment of Town invoices in the amount of \$110,664.08, MC.***

### Approval of Stormwater Invoices

***Motion (McMahon, Gruhn) to approve payment of Stormwater invoices in the amount of \$7,803.41, MC.***

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

**Leadership Union Grove donation request to fund replacement of Village of Union Grove's Dog Park and American Legion Memorial Park signage**

Ellen Jante appeared before the Board on behalf of Leadership Union Grove to discuss this request. She noted that Leadership Union Grove is raising funds to cover the cost of purchasing new double-sided signage for the Village of Union Grove's dog park and American Legion Memorial Park. She added that the Village of Union Grove will install the

signage at no additional cost. She noted that Leadership Union Grove has contacted local businesses and non-profit groups to request donations and added that their fundraising goal is \$2,000.00.

***Motion (McMahon, Hansen) to approve a \$100.00 donation to Leadership Union Grove to fund replacement of the Village of Union Grove's Dog Park and American Legion Memorial Park signage, MC.***

**Request submitted by Sylvania Partners, LLC (on behalf of CMG Designs, Inc.) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 114 (Parcel ID # 018-03-21-13-029-015) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with office and warehouse space for tool storage for a carpentry business called CMG Designs, Inc.**

McKinney noted that this business would not have any overnight parking for work vehicles or any outdoor storage of equipment or materials.

***Motion (Fink, Geschke) to recommend approval of the request submitted by Sylvania Partners, LLC (on behalf of CMG Designs, Inc.) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 114 (Parcel ID # 018-03-21-13-029-015) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with office and warehouse space for tool storage for a carpentry business called CMG Designs, Inc., with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by Sylvania Partners, LLC (on behalf of CMG Designs, Inc.) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 114 (Parcel ID # 018-03-21-13-029-015) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with office and warehouse space for tool storage for a carpentry business called CMG Designs, Inc., with no conditions, MC.***

**Request submitted by Yorkville Elementary School (with the Yorkville Elementary School Parent Teacher Organization and Dan Prince as agents) for site plan approval for the property located at 18621 Washington Avenue (STH 20) (Parcel ID # 018-03-21-08-020-000) in the A-2 (General Farming and Residential) Zoning District to permit construction of an outdoor teaching area with several rows of wood benches and an 8-foot by 4-foot (32 square foot) speaker's platform in the wooded area directly to the east of Yorkville Elementary School**

Dan Prince appeared before the Board and Plan Commission to discuss this application. He provided the following information on the application:

- Proposed activity would be construction of an elevated outdoor teaching area with several rows of wood benches and an 8-foot by 4-foot (32 square foot) speaker's platform in the wooded area directly to the east of Yorkville Elementary School
- The outdoor teaching area would only be used during school hours
- No sound system or other amplification would be used
- Removal of one tree may be necessary to accommodate the outdoor teaching area

***Motion (Nelson, Geschke) to recommend approval of the request submitted by Yorkville Elementary School (with the Yorkville Elementary School Parent Teacher Organization and Dan Prince as agents) for site plan approval for the property located at 18621 Washington Avenue (STH 20) (Parcel ID # 018-03-21-08-020-000) in the A-2 (General Farming and Residential) Zoning District to permit construction of an outdoor teaching area with several rows of wood benches and an 8-foot by 4-foot (32 square foot) speaker's platform in the wooded area directly to the east of Yorkville Elementary School, with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by Yorkville Elementary School (with the Yorkville Elementary School Parent Teacher Organization and Dan Prince as agents) for site plan approval for the property located at 18621 Washington Avenue (STH 20) (Parcel ID # 018-03-21-08-020-000) in the A-2 (General Farming and Residential) Zoning District to permit construction of an outdoor teaching area with several rows of wood benches and an 8-foot by 4-foot (32 square foot) speaker's platform in the wooded area directly to the east of Yorkville Elementary School, with no conditions, MC.***

**Request submitted by Jolynn Investors, LLC (with Martin Egan as agent) for site plan approval for the property located at 5211 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-32-033-000) in the M-1 (Light Industrial and Office) Zoning District to permit occupancy of the existing building at this address with a business for assembly and distribution of water treatment products for residential and commercial markets called Great Lakes International, Inc.**

Martin Egan appeared before the Board and Plan Commission to discuss this application. He provided the following information on the application:

- Proposed activity would be occupancy of the existing building at this address with a business for assembly and distribution of water treatment products for residential and commercial markets called Great Lakes International, Inc.
- This site would be a satellite facility of their Kearney Avenue facility in Racine
- No water treatment products will be sold directly from this facility
- There will be lighting over the existing doors and a flood light that shines on the parking lot, with no lighting on the property shining onto the roadway or adjacent properties
- Pallets will be stored outside the facility
- Business hours will be from 7:00 a.m. to 5:00 p.m., with normal truck traffic coming to and leaving the property during those hours
- The current landscaping on the site will be maintained
- The vegetation along the creek on the property is currently being cleaned up and removed
- There are plans to replace some asphalted surfaces around the building with grass and a walkway
- The building will be repainted later this year

***Motion (Fink, Nelson) to recommend approval of the request submitted by Jolynn Investors, LLC (with Martin Egan as agent) for site plan approval for the property located at 5211 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-32-033-000) in the M-1 (Light Industrial and Office) Zoning District to permit occupancy of the existing building at this address with a business for assembly and distribution of***

***water treatment products for residential and commercial markets called Great Lakes International, Inc., with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by Jolynn Investors, LLC (with Martin Egan as agent) for site plan approval for the property located at 5211 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-32-033-000) in the M-1 (Light Industrial and Office) Zoning District to permit occupancy of the existing building at this address with a business for assembly and distribution of water treatment products for residential and commercial markets called Great Lakes International, Inc., with no conditions, MC.***

**Application for one Annual Implements of Husbandry Permit submitted by Helena Chemical**

McMahon noted that the Wisconsin Towns Association was notified by the Wisconsin Department of Transportation and the Wisconsin State Patrol that the ordinance adopted by the Town of Yorkville regulating weight limits for implements of husbandry and agricultural commercial motor vehicles cannot be enforced due to wording issues contained within the ordinance. He stated that there are approximately 200 other towns in Wisconsin that are also affected by this issue.

***Motion (Hansen, Gruhn) to grant one Annual Implements of Husbandry Permit to Helena Chemical, with no conditions, MC.***

**Application for a Special Event Permit submitted by Dorothy Olson on behalf of the Paris Country Mall for the Union Grove Home and Garden Show at the Racine County Fairgrounds, 19805 Durand Avenue, from 8:00 a.m. to 6:00 p.m. on Saturday, April 25, 2015, and from 8:00 a.m. to 4:00 p.m. on Sunday, April 26, 2015**

***Motion (McMahon, Gruhn) to grant a Special Event Permit to Dorothy Olson on behalf of the Paris Country Mall for the Union Grove Home and Garden Show at the Racine County Fairgrounds, 19805 Durand Avenue, from 8:00 a.m. to 6:00 p.m. on Saturday, April 25, 2015, and from 8:00 a.m. to 4:00 p.m. on Sunday, April 26, 2015, with no conditions, MC.***

**License and permit applications submitted by Rory Esch on behalf of Bronco Select for the 7<sup>th</sup> Annual Bronco Select Pig Roast, to be held at the Racine County Fairgrounds, 19805 Durand Avenue, on Saturday, May 16, 2015, from 3:00 p.m. to 11:00 p.m., including the following applications:**

- **Special Event Permit**
- **Temporary Class "B" License to sell fermented malt beverages at the Racine County Fairgrounds' Activity Building**
- **Temporary Operator Licenses for:**
  - **Scott Katterhagen**
  - **Loren Painter**
  - **Brian Van Swol**

***Motion (McMahon, Gruhn) to grant all licenses and permits applied for by Rory Esch on behalf of Bronco Select for the 7<sup>th</sup> Annual Bronco Select Pig Roast, to be held at***

*the Racine County Fairgrounds, 19805 Durand Avenue, on Saturday, May 16, 2015, from 3:00 p.m. to 11:00 p.m., with no conditions, MC.*

**Application for a 2014-2015 annual Operator's License submitted by Kylie Jost**

*Motion (Gruhn, McMahon) to grant a 2014-2015 annual Operator's License to Kylie Jost, MC.*

**Project Plan Preparation for Rehabilitation of the 58th Road Bridge over the East Branch of the Root River Canal**

Madsen noted that his estimate of the cost of rehabilitating the 58th Road bridge over the East Branch of the Root River Canal is approximately \$60,000.00. Hansen noted that the Town had originally budgeted \$50,000.00 for this project in 2015, with half of those funds coming from Racine County.

*Motion (Gruhn, McMahon) to authorize the Town Engineer to proceed with project plan preparation for rehabilitation of the 58th Road bridge over the East Branch of the Root River Canal, MC.*

## **Reports**

**Code Enforcement Officer's Report:** The Code Enforcement Officer was not present to provide his report to the Board. McKinney noted that the Code Enforcement Officer did contact him about a recent incident in Caledonia involving enforcement of their sexual offender residency ordinances.

**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 Town's attorney is reviewing the contract documents for the reconstruction of 69<sup>th</sup> Drive and 59<sup>th</sup> Drive scheduled to take place later this year
- That none of the dirt and debris kept within the Town's right-of-way on the property located at 5110 69<sup>th</sup> Drive appears to have been removed

**Yorkville Stormwater Utility District Report:** Stephen Nelson noted that the Stormwater Commission voted last week to withhold their final payment and retainage release to Shawn Robert's Lawn and Tree for the obstruction clearance work on the East Branch of the Root River Canal due to several outstanding issues related to completion of the project that must first be addressed. He added that the remainder of the work on this project will be bid out this fall.

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

- The updated sexual offender residency restriction map draft provided by the Town's engineer, which now includes the properties discussed at the Board meeting on March 30. He asked the Board whether the Plan Commission should be present at the Board

meeting on April 27, where the sexual offender ordinances and residency restriction map will be discussed next. The Board agreed that it would not be necessary to have the Plan Commission present at that meeting.

- He asked whether any Board or Plan Commission members had questions regarding the permit and license application list provided at the joint Board/Plan Commission meeting in March. McMahon recommended that all annual license and permit fees be set at a minimum of \$25.00 and recommended that the license fee for video gaming machines be increased from \$100.00 to \$125.00.
- He asked whether the Board felt that any roads would need to be chip sealed or crack filled in 2015. McMahon noted that he would assemble a list of potential projects within the next few days.
- He asked whether the Board would like to apply for 2016 Racine County Bridge Aid. The Board agreed that they did not wish to apply for any bridge aids for next year.
- A complaint he received from the property owner at 1904 51<sup>st</sup> Drive regarding standing water on the property after the recent heavy rains. He added that the property owner believes the water was not draining properly due to a damaged or clogged drain tile. Hansen noted that he found no evidence of drainage issues when visiting the site today.

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

State Representative Robin Vos addressed the Board regarding the proposed 2015-2017 biennial state budget. He provided a summary of some of the highlights of the proposed budget, including transportation and shared revenue expenditures, as well as the planned timeline for approval of the budget. He also discussed a proposal to eliminate the personal property tax.

Hansen asked Madsen about who is responsible for maintaining the collapsing culvert at the intersection of Braun Road and South Sylvania Avenue. Madsen noted that the Wisconsin Department of Transportation stated that the Town is responsible for maintaining this culvert. Hansen noted that a culvert under Two Mile Road at 53<sup>rd</sup> Drive began to collapse after last week's heavy rains and added that Two Mile Road will remain closed there until the culvert is replaced. Hansen provided a summary of the increase in sewer rates adopted by the Board in February that are set to take effect in July. McMahon noted that the Wisconsin Towns Association is lobbying to change the funding share formula for the Town Road Discretionary Improvement Program to one more favorable for towns. McMahon requested an update from the Code Enforcement Officer regarding enforcement issues involving a berm constructed on a property on Pape Court and violations involving the property owner at 18917 Spring Street (CTH C). Douglas Nelson asked about a car fire he witnessed on South Sylvania Avenue.

### **Adjournment**

***Motion (Nelson, Fink) to adjourn, MC.*** The meeting was adjourned at 7:28 p.m. The next scheduled Town Board meeting is Monday, April 27, 2015, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*