

## MINUTES

**TOWN OF YORKVILLE  
TOWN BOARD  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, APRIL 27, 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. Also present were Mike Schmidt, Attorney Elaine Ekes, Code Enforcement Officer Terrence O'Brien and Clerk-Treasurer Michael McKinney.

### Approval of Minutes

***Motion (Gruhn, McMahon) to approve the April 13, 2015 joint Town Board/Plan Commission meeting minutes as submitted, Motion Carried (MC).***

### Approval of Town Invoices

Gruhn requested that the name for payee Elaine Jante be changed to Ellen Jante.

***Motion (Gruhn, McMahon) to approve payment of Town invoices in the amount of \$32,053.27, MC.***

### Approval of Stormwater Invoices

McKinney noted that no stormwater invoices were submitted for payment.

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

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

**Application by GZK Enterprise LLC Outback Tiki for a premises transfer of an existing 2014-2015 Combination Class B beer and liquor license from 14015 Washington Avenue (STH 20) to 904 South Sylvania Avenue (Parcel ID # 018-03-21-13-008-030)**

The Board discussed whether to require the applicant to surrender his existing license before the Town would issue him a new license. The Board and Ekes also discussed the status of the combination Class B beer and liquor license currently issued to the former tenant of 904 South Sylvania Avenue and whether that license could be renewed at another location in June.

***Motion (McMahon, Gruhn) to approve the request submitted by GZK Enterprise LLC Outback Tiki for a premises transfer of an existing 2014-2015 Combination Class B beer and liquor license from 14015 Washington Avenue (STH 20) to 904 South***

***Sylvania Avenue (Parcel ID # 018-03-21-13-008-030), with the condition that the original licenses be returned to the Town of Yorkville before the updated licenses are issued to the applicant, MC.***

**Article III of Chapter 30 of the Town of Yorkville Code of Ordinances regarding sexual offender residency restrictions and mapping of sexual offender residency restrictions**

Ekes and the Board discussed several changes within the proposed ordinance, including a requirement that recreational trails be dedicated to the public for recreational purposes in order to be classified as a recreational trail and a new category of protected location called private places, which is a property that is owned by a private person or entity but is open to the public to provide a service and is a location where children regularly congregate, whether supervised or unsupervised. Ekes noted that two properties fell under this definition of private places and have been added to the sexual offender residency restriction map. She recommended that the property located at 1805 15<sup>th</sup> Avenue (STH 11) be removed from the sexual offender residency restriction map, as that facility offers no events that cater to juveniles. Mike Schmidt addressed the Board regarding a sexual offender that allegedly moved from the Village of Union Grove to the property located at 4900 South Colony Avenue (USH 45). The Board requested that O'Brien investigate this report.

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

**Application for seven annual Implements of Husbandry Permits submitted by Consolidated Mills Farms, Inc.**

***Motion (Hansen, McMahon) to grant seven Annual Implements of Husbandry Permits to Consolidated Mills Farms, Inc., with no conditions, MC.***

**Application for a 2014-2015 annual Operator's License submitted by Dawn Lackey**

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

**Application for a 2014-2015 annual Operator's License submitted by Samantha Cheever**

***Motion (Gruhn, Hansen) to grant a 2014-2015 annual Operator's License to Samantha Cheever, MC.***

**Resolution 2015-04 Designating and appointing committee members to various positions in Town of Yorkville government**

McKinney noted that this resolution confirms appointments to the Plan Commission, Stormwater Commission and Board of Review. He added that the five-year appointment to the Stormwater Commission will be made at a later date.

***Motion (Hansen, McMahon) to approve Resolution 2015-04 as submitted, MC.***

**Rescheduling of the May 25, 2015 Town Board meeting**

Hansen noted that the May 25 meeting is scheduled on Memorial Day.

***Motion (McMahon, Gruhn) to reschedule the May 25, 2015 Town Board meeting to Tuesday, May 26, 2015, at 6:00 p.m., MC.***

**Reports**

**Code Enforcement Officer's Report:** O'Brien reported to the Board on the following:

- Berms constructed on the property located at 2342 Raymond Avenue (CTH U). After reviewing photos of the berms, the Board opted to take no further action on this issue.
- His inspection of the water bypass installed on the property located at 904 South Sylvania Avenue. He reported that the bypass appears to have been there for some time and was not authorized. He noted that he is still attempting to contact the former tenant regarding this issue. The Board recommended that this bypass be removed before the new tenant is allowed to conduct business there.

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

- That he has been working with the property owner at 14007 Washington Avenue (STH 20) regarding his request to install a parking lot on the property. He noted that he is still waiting to get a grading plan for the proposed lot. He added that the Building Inspector recommended that the entire lot be paved per the plan submitted by the property owner and requirements to establish a certain number of disabled parking spaces. He noted that the property owner could also either add additional disabled parking spaces in the parking lot next to the business located at 14001 Washington Avenue (STH 20) or pave enough space in the proposed parking lot to accommodate the required number of disabled parking spaces. The Board recommended that the property owner pave enough space in the proposed parking lot to accommodate the required number of disabled parking spaces.
- That he has been working on project plans for reconstruction of the 58<sup>th</sup> Road bridge over the East Branch of the Root River Canal.
- That very little work has been done with the dirt and debris kept within the Town's right-of-way on the property located at 5110 69<sup>th</sup> Drive. The Board recommended that the Building Inspector continue to work with the property owner on this issue.
- That the Wisconsin Department of Natural Resources has issued their permit to the Town for installing and replacing culverts on 69<sup>th</sup> Drive this year.

**Yorkville Stormwater Utility District Report:** Gruhn noted that there were no issues to report to the Board.

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

- That the Building Inspector sent a letter to the property owner at 14101 Evans Lane regarding the condition of the accessory building there
- That the waste hauling contract with ASDA expires on August 31. The Board requested that McKinney contact ASDA to request a new contract for the Town's consideration.
- That the Town is still looking for new appointees to the Yorkville Sewer Utility Commission and Water Utility Commission and the Yorkville-Union Grove Recreation and Parks Commission
- He noted that the Wisconsin Towns Association - Racine and Kenosha County Unit meeting will be held at 7:00 p.m. on Wednesday, May 6, 2015, in the Town Board Room

- McMahon requested that the Board adopt Board of Review policies or ordinances regarding appearing before the Board of Review by telephone and allowing objections to bypass the Board of Review
- McKinney noted that there may be a Cinco de Mayo event held at 3400 South Sylvania Avenue on the first or second weekend of May

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

The Board discussed a complaint regarding issues with stormwater drainage affecting the property located at 15625 Durand Avenue (STH 11). The Board agreed that a letter should be sent to neighboring property owners requesting their assistance to correct this issue. The Board also discussed a complaint regarding a large pothole on 58<sup>th</sup> Road between South Sylvania Avenue and I-94. The Board asked Madsen to conduct a site visit and determine whether Racine County is responsible for repairing the pothole.

### **Adjournment**

***Motion (Gruhn, McMahon) to adjourn, MC.*** The meeting was adjourned at 7:04 p.m. The next scheduled Town Board meeting is Monday, May 11, 2015, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*