

MINUTES

**TOWN OF YORKVILLE
JOINT TOWN BOARD/PLAN COMMISSION
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, JULY 13, 2015**

Call to Order

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

Roll Call

The following Town Board members were present: Peter Hansen and Terrence McMahon. Sherry Gruhn was absent. The following Plan Commission members were present: Peter Hansen, Gary Fink, Douglas Nelson, Barbara Geschke, Robert Root and Nathan Skewes. Sherry Gruhn was absent. Also present were John Kurt representing Wildwood Holdings, William Teunas representing Freeway Auto Salvage, Tim Lynch representing Lynch & Associates Engineering Consultants, Jim Fox, Dan Minton, Stormwater District Commission Chair Stephen Nelson, Engineer Mark Madsen, Code Enforcement Officer Terrence O'Brien and Clerk-Treasurer Michael McKinney.

Approval of Minutes

Motion (McMahon, Hansen) to approve the June 18, 2015 Closed Session, June 18, 2015 Open Session and June 22, 2015 Town Board meeting minutes as presented, Motion Carried (MC).

Approval of Financial Reports

Motion (Hansen, McMahon) to approve the June Town and Stormwater financial reports as presented, MC.

Approval of Town Invoices

Motion (McMahon, Hansen) to approve payment of Town invoices as presented in the amount of \$72,518.61, MC.

Approval of Stormwater Invoices

McKinney noted that no stormwater invoices were presented 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:

Holding Tank Agreement and Holding Tank Servicing Contract submitted by Ashley Yorkville, LLC for 3030 South Sylvania Avenue (Parcel ID # 018-03-21-25-008-100)

McKinney noted that this agreement is for a 3,000-gallon holding tank to be installed eight feet from the building on this property. He stated that the holding tank will be completely within the lawn area immediately adjacent to Door "L" and added that no concrete or asphalt will be disturbed as part of this installation.

Motion (McMahon, Hansen) to approve the Holding Tank Agreement and Holding Tank Servicing Contract submitted by Ashley Yorkville, LLC for 3030 South Sylvania Avenue, MC.

Request submitted by Wildwood Holdings, LLC (on behalf of N-Hance) for occupancy approval for the property located at 20911 White Ash Road, Unit B (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 storage and work space for a carpentry business called "N-Hance," which provides refinishing work on cabinets and countertops, including overlays

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

- Occupancy of said unit at this address would be with storage and work space for a carpentry business called N-Hance, which provides refinishing work on cabinets and countertops, including overlays
- Most work will completed off-site
- Daily operating hours would 6:00 a.m. to 10:00 p.m.
- N-Hance would have two to three employees
- N-Hance would have parking for 2 employee vehicles and 2 work vans

Motion (Fink, Nelson) to recommend approval of the request submitted by Wildwood Holdings, LLC (on behalf of N-Hance) for occupancy approval for the property located at 20911 White Ash Road, Unit B (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 storage and work space for a carpentry business called N-Hance, with no conditions, MC.

Motion (McMahon, Hansen) to accept the Plan Commission's recommendation and to approve the request submitted by Wildwood Holdings, LLC (on behalf of N-Hance) for occupancy approval for the property located at 20911 White Ash Road, Unit B (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 storage and work space for a carpentry business called N-Hance, with no conditions, MC.

Application for a 2015-2016 annual Junk or Auto Salvage Facility License submitted by Freeway Auto Salvage, Inc. for 2118 North Sylvania Avenue

O'Brien noted that he conducted a site visit on the property today. He stated that the front of the property looks clean but added that he was not allowed to view the rear of the property due to staffing issues. He noted that the applicant informed him that there are 400 vehicles kept on the rear of the property, rather than the 250 currently permitted. He stated that the applicant planned to submit an application to the Racine County Planning and Development Department for an updated conditional use permit to allow the applicant to keep more cars

on the property. O'Brien recommended that the temporary license for this applicant be extended by another month to allow the applicant more time to clean up the property. O'Brien also noted that several address signs were not set back up on North Sylvania Avenue after it was repaved several years ago. The Town Board requested that McKinney contact the Wisconsin Department of Transportation on this issue.

Motion (Fink, Geschke) to recommend granting a temporary Junk or Auto Salvage Facility license to Freeway Auto Salvage, Inc., 2118 North Sylvania Avenue, with an expiration date of Friday, August 14, 2015, and with reconsideration of renewal of the application for the remainder of the licensing year, ending June 30, 2016, scheduled for the joint Town Board/Plan Commission meeting on Monday, August 10, 2015, with no additional conditions, MC.

Motion (McMahon, Hansen) to accept the Plan Commission's recommendation and to grant a temporary Junk or Auto Salvage Facility license to Freeway Auto Salvage, Inc., 2118 North Sylvania Avenue, with an expiration date of Friday, August 14, 2015, and with reconsideration of renewal of the application for the remainder of the licensing year, ending June 30, 2016, scheduled for the joint Town Board/Plan Commission meeting on Monday, August 10, 2015, with no additional conditions, MC.

Pre-application conference with Lynch & Associates Engineering Consultants, LLC on behalf of Lawrence Dempski regarding proposed division of the property located at 17808 58th Road (Parcel ID # 018-03-21-21-021-000)

Tim Lynch appeared before the Town Board and Plan Commission to discuss this application. He noted that the property owner wanted to divide this 64-acre parcel into 6 parcels ranging in size from 5 to 25 acres. He added that one outlot will be created out of the small strip of land accessing Spring Street (CTH C), which will be attached to Lot 6 of this proposed subdivision. He stated that the pond on the property would be entirely contained within Lot 2 and added that there are some wetlands surrounding the pond. The Town Board and Plan Commission discussed several issues with Lynch, including the need for soil sampling, concerns over the width-to-depth ratio of the largest three lots, the Town's open space requirements, the Town's requirement that all subdivisions be platted as conservation subdivisions, how many lots could be created by a certified survey map as opposed to a subdivision plat, and that ownership of the small strip of land connecting the parcel to Spring Street (CTH C) be clarified. Lynch questioned the need for a conservation subdivision when the lots within the subdivision would be this large. Several land division options were discussed, including creating smaller buildable lots with one large outlot and reducing the number of lots to be created by this land division to qualify as a certified survey map as opposed to a subdivision plat. Jim Fox addressed the Town Board regarding drainage issues relating to the existing pond on the property.

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

Stray and Impound Animal Collection and Delivery Services Agreement insurance issues

The Town Board opted to resolve this insurance issue by offering to bring the owner of Playmate Kennels and Stables on to the Town's payroll as an employee. The Town Board requested that McKinney contact the Town's attorney to have him draw up an employment agreement for such a position.

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

Ordinance 2015-06 Amending Sections 6-51, 6-143, 10-124, 10-143, 10-145, 10-291, 14-35, 14-101, 14-102, 14-176, 14-249, 14-272, 14-324, 14-353, 14-483, 14-664, 14-784, 14-829, 14-1006, 34-205, 38-82, 46-65, 46-68, 46-69, 54-53, 54-218 and 54-219 of the Town of Yorkville Code of Ordinances regarding Miscellaneous Fees

McKinney noted that this ordinance removes all monetary references for permit and license fees and bond amounts from the Town of Yorkville Code of Ordinances and replaces those references with language providing for amendment of those fees and bond amounts by adoption of a resolution by the Town Board.

Motion (McMahon, Hansen) to approve Ordinance 2015-06 as presented, MC.

Resolution 2015-09 Updating the Fee Schedule for Fees Established by Yorkville Town Board Policy and Various Provisions of the Town of Yorkville Code of Ordinances

McKinney noted that this resolution updates several license and permit fees and adds the monetary references for permit and license fees and bond amounts removed from the Town of Yorkville Code of Ordinances by the adoption of Ordinance 2015-06 to the Town's fee schedule.

Motion (McMahon, Hansen) to approve Resolution 2015-09 as presented, MC.

Applications for 2015-2016 annual Operator Licenses submitted by the following:

- Nancy Eitel
- Irene Hernandez
- Jaimee Lojeski
- Jeffrey McKenzie
- Larry Radcliff
- Lee Stephans
- Alyssa Thomas
- Lisa Webb

Motion (McMahon, Hansen) to grant all listed 2015-2016 annual Operator licenses as presented, MC.

Applications for 2015-2016 annual Operator Licenses submitted by the following:

- John Blubaugh
- Niki Corbett
- Melissa Kreuser
- Cortney Seifert

McKinney noted that he is still waiting for proof of past licensure from these four applicants. He stated that the Town Board could approve the license applications and then instruct him to refrain from issuing the licenses until such time as the information he has requested is provided. He added that the licenses are not valid until he issues them.

Motion (Hansen, McMahon) to approve all listed 2015-2016 annual Operator licenses as presented, with the condition that the Clerk-Treasurer only issue these licenses upon receipt of the information requested of each applicant, MC.

Quotes for chip sealing work on Town roads

McMahon stated that he did not have chip sealing quotes to present at tonight's meeting.

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

Reports

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

- That the fine assessed against the property owner at 17806 Spring Street (CTH C) has not been paid, which may result in a contempt charge being issued against the property owner. He noted that some cleanup appears to have taken place on the property but added that he has not been able to determine if the storage trailers on the property have been removed.
- That the property owner at 1932 51st Drive has been given another 60 days to remove the boats stored on his property

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

Motion (Hansen, McMahon) to accept and file the Building Inspector's report as presented, MC.

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

- That plan preparation continues for the project to rehabilitate the 58th Road bridge over the East Branch of the Root River Canal
- That the first pay request for the 69th Drive and 59th Drive road repaving projects has been received

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

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

- That he has not received an application for a kennel license for the property located at 15414 Ives Grove Road, although a resident there claims four dogs are kept on the property
- That he was contacted by an individual interested in applying for a liquor license for the property located at 3323 South Sylvania Avenue. He stated that he informed the individual that the Town is currently at its quota for the type of liquor license sought.
- That the mobile home park located at 15941 Durand Avenue (STH 11) will no longer provide on-premises large item collection, effective September 1. He added that residents there can bring large items for disposal at the Town's waste collection and recycling site.

- Hansen noted that he met with someone who could possibly locate damaged drain tile on the property located at 15746 Durand Avenue (STH 11). He added that the property owner there may contract with someone to locate and repair any damaged drain tile.
- That the Stonecrest Shores subdivision developer has issued bills to all property owners in the subdivision for this year's work on the subdivision's private on-site wastewater treatment system
- That he received project plans from the Wisconsin Department of Transportation for the repaving of STH 11 in Union Grove in 2017. He noted that the detour for this project will follow STH 75, STH 20, STH 142 and I-94.
- McMahon provided an update to the Town Board on the crackfilling work done on 1st Street. He noted that there was a large amount of crackfilling done on this road, which increased the cost of the invoice sent to the Town of Paris for the work.
- That the following requests may appear on the agenda for the August 10 joint Town Board/Plan Commission meeting:
 - 20911 White Ash Road, Unit A occupancy
 - 2036 North Sylvania Avenue rezoning/conditional use
 - 18917 Spring Street (CTH C) rezoning/conditional use. The Town Board and Plan Commission discussed whether this application should even be considered given the number of outstanding violations that continue on the property. Skewes discussed the Union Grove-Yorkville Fire Department's difficulty in accessing the property to resolve the fire code-related violations there. The Town Board and Plan Commission recommended that the Union Grove-Yorkville Fire Department communicate these issues to the Racine County Planning and Development Department in advance of next week's Racine County Economic Development and Land Use Planning Committee meeting, where this application will be discussed.
 - 17108 County Line Road (CTH KR) conditional use renewal
 - 3400 South Sylvania Avenue/14017 Durand Avenue (STH 11) conditional use
 - 2624 South Sylvania Avenue site plan
- That the Town's assessor sent notice to Time Warner Cable notifying them that the Town would not refund any 2014 personal property taxes they paid. He noted that Time Warner Cable made this request because their equipment was exempted from personal property taxes effective January 1, 2015.

Other – Comments, questions and suggestions

Jim Fox addressed the Town Board regarding drainage issues along 58th Road between 51st Drive and 55th Drive.

Dan Minton addressed the Town Board regarding traffic issues in front of Yorkville Elementary School on Washington Avenue (STH 20). He stated that it would cost \$12,000.00 to install flashing lights on both ends of the STH 20 school zone. The Town Board recommended that Minton contact Yorkville Elementary School to discuss this issue with them. Nelson noted that he would contact the Yorkville Elementary School administrator to inquire into this issue.

Adjournment

Motion (McMahon, Nelson) to adjourn, MC. The meeting was adjourned at 7:41 p.m. The next scheduled Town Board meeting is Monday, July 27, 2015, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer