

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, OCTOBER 12, 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, Sherry Gruhn and Terrence McMahon. The following Plan Commission members were present: Peter Hansen, Sherry Gruhn, Douglas Nelson, Barbara Geschke and Robert Root. Gary Fink and Nathan Skewes were absent. Also present were Michelle Strauss representing The Horton Group, Daniel Neider, Dan Oakes, Engineer Mark Madsen, Code Enforcement Officer Terrence O'Brien and Clerk-Treasurer Michael McKinney.

### Approval of Minutes

***Motion (Gruhn, McMahon) to approve the September 28, 2015 and October 1, 2015 Town Board meeting minutes as presented, Motion Carried (MC).***

### Approval of Financial Reports

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

### Approval of Town Invoices

***Motion (McMahon, Gruhn) to approve payment of Town invoices as presented in the amount of \$66,480.93, MC.***

### Approval of Stormwater Invoices

***Motion (Gruhn, McMahon) to approve payment of Stormwater invoices as presented in the amount of \$176.00, MC.***

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

#### **2015-2016 Property, Liability and Workers Compensation insurance proposal from The Horton Group**

Michelle Strauss appeared before the Town Board to discuss this proposal. She provided a summary of the coverage included in this proposal for property, liability and workers compensation insurance. She noted that the cost of insurance dropped from \$19,220.00 in 2014 to \$18,907.00 in 2015, which she attributed largely to a drop in the cost of workers compensation coverage. She stated that the Union Grove-Yorkville Fire Department has independent insurance coverage.

***Motion (McMahon, Gruhn) to approve the 2015-2016 Property, Liability and Workers Compensation insurance proposal from The Horton Group as presented in the amount of \$18,907.00, MC.***

**Application for a Pond Permit submitted by Daniel Neider for the property located at 15838 County Line Road (CTH KR) (Parcel ID # 018-03-21-35-025-000) to permit maintenance and excavation of an existing pond on the property**

Daniel Neider and Dan Oakes appeared before the Town Board and Plan Commission to discuss this application. Neider stated that he did not realize this type of work required a permit. He noted that there was erosion on the back side of the pond and added that the dike next to the pond was full of black dirt and muskrat dens. Oakes stated that the pond has not been enlarged and added that what is being removed is dirt that has eroded into the pond over the years. Madsen made several recommendations related to this application, including the following:

- That the applicant work with the Wisconsin Department of Natural Resources (DNR) and follow all DNR regulations and requirements
- That the applicant adhere to the written narrative provided with the application
- That the applicant construct the pond to the submitted specifications and submit as-built drawings of the pond once it is completed
- That any damaged drain tile be repaired and drain tile be daylighted to the pond
- That stormwater analysis of drainage around the pond be conducted before any future development around the pond is approved

Neider noted that the outer edges of the pond have been seeded and grass is growing. He stated that the maximum depth of the pond is 20 feet, with a shelf around the deepest section of the pond that is 14 feet deep. He added that the small wetland area on the east section of the pond will be 2 to 5 feet deep. Oakes noted that clay will be used to build up the dike area. Neider stated that the banks around the pond will be 8 to 10 feet tall. Madsen noted that stone riprap would not be necessary for the drainage away from the pond, adding that grass should be sufficient for erosion control.

***Motion (Nelson, Root) to recommend approval of the application submitted by Daniel Neider for a pond permit for the property located at 15838 County Line Road (CTH KR) (Parcel ID # 018-03-21-35-025-000) to permit maintenance and excavation of an existing pond on the property, with the following conditions:***

- ***That the applicant submit as-built drawings of the pond when work is completed***
- ***That any damaged drain tile is repaired and drain tile daylighted to the pond by the applicant, MC.***

***Motion (McMahon, Hansen) to accept the Plan Commission's recommendation and to approve the request submitted by Daniel Neider for a pond permit for the property located at 15838 County Line Road (CTH KR) (Parcel ID # 018-03-21-35-025-000) to permit maintenance and excavation of an existing pond on the property, with the following condition beyond those recommended by the Plan Commission:***

- ***That all project work follows Wisconsin Department of Natural Resources regulations and requirements, MC.***

License and permit applications submitted by Jennifer Ditscheit on behalf of the Greater Union Grove Area Chamber of Commerce for the Great Pumpkin Chuckin Fest, to be held on Saturday, October 24, 2015, from 10:00 a.m. to 10:00 p.m., and on Sunday, October 25, 2015, from 11:00 a.m. to 5:00 p.m., at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), including the following applications:

- **Special Event Permit**
- **Temporary Class “B” license to sell fermented malt beverages on the Racine County Fairgrounds**
- **Temporary Operator Licenses**
  - **Jennifer Ditscheit**
  - **Keith Mann**

McKinney noted that he is still waiting for a temporary operator license application and application fee from Keith Mann. He stated that the Town Board could approve the license applications and instruct him to withhold the temporary operator license for Mann until such time as Mann submits a completed license application and application fee.

***Motion (Gruhn, McMahon) to grant all licenses and permits applied for by Jennifer Ditscheit on behalf of the Greater Union Grove Area Chamber of Commerce for the Great Pumpkin Chuckin Fest, to be held on Saturday, October 24, 2015, from 10:00 a.m. to 10:00 p.m., and on Sunday, October 25, 2015, from 11:00 a.m. to 5:00 p.m., at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), with the condition that the Temporary Operator License for Keith Mann only be issued by the Clerk-Treasurer upon receipt of an application and application fee for that license, MC.***

**Resolution 2015-11 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 creates a \$30.00 fee for submitting a site plan review application.

***Motion (Gruhn, McMahon) to approve Resolution 2015-11 as presented, MC.***

**Town policy for Certified Survey Map waiver or modification requests**

McKinney described this policy, noting that it would create specific circumstances under which the Town Board and Plan Commission would consider applications for waivers of minimum certified survey map lot standards. The Town Board and Plan Commission opted to reconsider this item at their November 9, 2015 meeting.

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

**Town policy for highway-related expenditures**

McKinney described this policy, noting that it would establish guidelines for the Town to follow when authorizing different types of highway-related work. Madsen noted that any policy should place controls on where pothole filling work can be done to avoid excessive pothole work or pothole work on roads that will be repaved in the near future. The Town Board opted to reconsider this item at their November 9, 2015 meeting.

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

## 2016 General Fund Annual Budget

McKinney noted that this updated budget draft includes the changes discussed at the budget workshop on October 1. He added that he updated revenues for transportation aids and computer aids based upon the final estimates received for those aids. He noted that he received a copy of the proposed Union Grove-Yorkville Fire Department (UGYFD) budget, adding that this budget, as proposed, may cause a large increase in contributions to UGYFD beyond those initially budgeted for in 2016. He stated that the increase was largely based on the proposed purchase of a new truck for fire inspection use. The Town Board discussed this proposed purchase as well as the existing split between Union Grove and Yorkville in payments made to UGYFD.

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

### **Proposal and contract submitted by Midwest Snow Control for annual snow plowing at the Town's waste and recycling collection site, 19040 Spring Street (CTH C)**

McKinney noted that the hourly plowing rate and per pound cost for salt has decreased from the 2014 plowing contract with Midwest.

***Motion (Hansen, Gruhn) to approve the proposal and contract submitted by Midwest Snow Control for annual snow plowing at the Town's waste and recycling collection site, 19040 Spring Street (CTH C), MC.***

### **Proposals for Town road shoulder repairs**

Hansen noted that the Town received two proposals for gravel shouldering work along 67<sup>th</sup> Drive, 63<sup>rd</sup> Drive and North Colony Avenue from DLH Enterprises in the amount of \$2,250.00 and from Willkomm Excavating and Grading in the amount of \$4,585.00.

***Motion (McMahon, Hansen) to approve the proposal submitted by DLH Enterprises in the amount of \$2,250.00 for gravel shouldering along 67<sup>th</sup> Drive, 63<sup>rd</sup> Drive and North Colony Avenue, MC.***

## Reports

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

- That the property owner at 1932 51<sup>st</sup> Drive appeared in court regarding the boats stored on that property. He noted that ten boats are still stored on the property and added that a local resident has been assisting with removing boats from the property. He stated that the property owner was given an additional six months to remove the boats from the property.
- That the dog involved in the dog bite incident reported on Old Yorkville Road in September has been euthanized.

**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 the project documents for the 58<sup>th</sup> Road culvert improvement project have been reviewed and are ready to be signed
- That he is assembling estimated costs for the proposed 2016 road repaving projects on Grandview Parkway and Braun Road. The Town Board discussed having separate project cost estimates put together for repaving Grandview Parkway in concrete and asphalt.

**Yorkville Stormwater Utility District Report:** Gruhn noted that the Stormwater Utility District Commission meets on Thursday, October 22 to discuss their 2016 budget.

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

- That the owners of the property located at 15005 Washington Avenue (STH 20) no longer planned to move forward on their proposal to split the 5.99-acre lot at this address into 1- and 4.99-acre lots. He noted that the owners instead planned to split the property into 3- and 2.99 acre lots, with all buildings on the property going onto the proposed 3-acre lot. He added that the property owners would still be required to apply for a waiver from the Town's ordinances regarding lot divisions due to the 2.99-acre lot being under the 3-acre minimum lot size. The Town Board and Plan Commission did not raise any objections to this proposal.
- That the owner of the property located at 1313 South Colony Avenue (USH 45) submitted a site plan application for approval to construct a fertilizer mixing and loading building and an outdoor fertilizer containment facility on the property
- That he was contacted by someone interested in acquiring the property located at 3323 South Sylvania Avenue to construct a gas station and convenience store with a possible restaurant there
- Whether the Town Board still had any interest in becoming a voting member of Central Racine County Health Department's Board of Health effective January 1, 2016. The Town Board requested that McKinney contact the Central Racine County Health Department to ask for a resolution to approve to join the Board of Health as a voting member.
- That the Wisconsin legislature is currently considering legislation that would split the Wisconsin Government Accountability Board into two agencies focusing on elections as well as ethics and campaign finance

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

No comments, questions or suggestions were provided.

#### **Adjournment**

***Motion (McMahon, Nelson) to adjourn, MC.*** The meeting was adjourned at 7:21 p.m. The next scheduled Town Board meeting is Thursday, October 29, 2015, at 6:00 p.m.

Michael McKinney  
Clerk-Treasurer