

MINUTES

**TOWN OF YORKVILLE
TOWN BOARD
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
THURSDAY, OCTOBER 29, 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. Also present were Stormwater District Commission Chair Stephen Nelson, Engineer Mark Madsen, Attorney Elaine Ekes and Clerk-Treasurer Michael McKinney.

Approval of Minutes

Motion (McMahon, Gruhn) to approve the October 12, 2015 joint Town Board/Plan Commission meeting minutes as presented, Motion Carried (MC).

Approval of Town Invoices

Motion (McMahon, Gruhn) to approve payment of Town invoices as presented in the amount of \$137,709.09, 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:

Ordinance 2015-05 Amending Article III. Alcohol Beverages, Sections 14-81 through 14-170 and Section 14-35(3) Enumerated Businesses and Fees of the Code of Ordinances for the Town of Yorkville

Ekes provided a summary of the proposed ordinance to the Town Board, which included the following updates:

- Designating the Clerk-Treasurer as the authority responsible for issuing picnic licenses
- Incorporating picnic licensing language for local chambers of commerce
- Removing language requiring every individual serving alcohol on a licensed premises to hold a valid operator's license
- Creating ordinances governing the temporary extension of licensed premises for special events

The Town Board recommended that language within Section 14-142(2) be amended to require written authorization from both the Town Board and the Code Enforcement Officer before underage persons are permitted on Class B premises where alcohol is sold or served.

Motion (Hansen, McMahon) to approve Ordinance 2015-05 as amended, MC.

Resolution 2015-12 A Joint Resolution of the Town of Yorkville and the Board of Health for the Central Racine County Health Department providing for the addition of the Town of Yorkville as a Member Municipality to the Board of Health

McKinney noted that the Town Board would need to adopt this resolution before the Town would be allowed to join the Central Racine County Health Department's Board of Health as a voting member. The Town Board questioned whether any Town Board member could attend the Board of Health meeting as a voting member or if voting would be restricted to one Town Board member. Gruhn stated that she would be willing to attend the Board of Health's meetings on behalf of the Town Board.

Motion (McMahon, Gruhn) to approve Resolution 2015-12 as presented, MC.

Submittal of a 2016-2017 Town Road Discretionary Improvement Program Application and/or a 2016-2017 Town Road Improvement Program Application under the 2016-2017 Local Roads Improvement Program

McMahon stated that these programs may be combined into one program in the future. McKinney noted that the deadline for these applications is November 12. The Town Board discussed several projects for which they could apply, including for resurfacing of Grandview Parkway and bridge replacement on 61st Drive. The Town Board instructed Madsen to begin preparing an application for 61st Drive for further Town Board consideration on November 9.

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

2016 Yorkville Stormwater Utility District Fund Annual Budget

Nelson discussed the proposed budget with the Town Board. He and the Town Board discussed stormwater fee assessments and questioned why the total amount assessed has not increased in the last few years even though the total amount of development has increased. They instructed McKinney to investigate this issue further.

Motion (McMahon, Hansen) to accept the 2016 Yorkville Stormwater Utility District Fund annual budget as presented, MC.

2016 Wisconsin Humane Society Stray and Impound Animal Shelter Services Agreement Amendment

McKinney noted that this amendment updates the Town's annual contribution to the Wisconsin Humane Society from \$2,824.75 in 2015 to \$3,662.60 in 2016.

Motion (McMahon, Gruhn) to approve the 2016 Wisconsin Humane Society Stray and Impound Animal Shelter Services Agreement amendment as presented, MC.

Proposal and contract submitted by Patrick W. Romenesko for the 2015 financial audit of the Town General Fund, Sewer Utility District Fund, Water Utility District Fund and Stormwater Utility District Fund

McKinney noted that the overall cost of the audit will increase from \$10,700.00 in 2015 to \$10,950.00 in 2016. He added that the cost of the Stormwater Utility District Fund's portion of the audit remains unchanged from last year.

Motion (Hansen, McMahon) to approve the proposal and contract submitted by Patrick W. Romenesko for the 2015 financial audit of the Town General Fund, Sewer Utility District Fund, Water Utility District Fund and Stormwater Utility District Fund as presented, MC.

Collection of Delinquent 2013 and 2014 Personal Property Taxes

McKinney provided an updated list of delinquent 2013 and 2014 personal property tax balances to the Town Board, noting that \$1,154.34 is currently owed for six personal property tax accounts. He stated that the Town could pursue collection of these balances through the small claims process and could withhold approval of any applications submitted by these account holders until such time as the past due balances are paid in full.

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

Collection of Delinquent Mobile Home Parking Fees

McKinney noted that the mobile home park operator at 15941 Durand Avenue (STH 11) has filed an eviction action in small claims court against a resident that currently owes \$2,102.25 to the Town in past due mobile home parking fees. He added that some of this balance is for a small claims judgment entered against the resident previously, while the remainder of the outstanding balance has been included in a recent second small claims filing against the resident. He noted that past due balances can be assessed to the property taxes of the mobile home park if a small claims judgment is entered against a resident in small claims court and the Town is unable to collect the balance from that resident. He added that the Town has six years to collect these balances after they become due. The Town Board opted to take no action on this issue at this time to allow more time for the balance to be paid off.

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 Town Board.

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

- That he completed an estimate for repaving Braun Road and is working on an estimate for repaving Grandview Parkway. He noted that the Braun Road repaving project would cost approximately \$255,000. The Town Board also discussed whether repaving work should be done in 2016 on 10th Avenue if funds were remaining in the road work budget.
- That the gravel access driveways to the community mound systems in the Stonecrest Shores subdivision have been completed. Hansen noted that completion of this work

allows the Town to release the \$20,000.00 asphaltting letter of credit for this subdivision.

- That the ditch work on the west side of 69th Drive between 5110 69th Drive and 4712 69th Drive has been completed to his satisfaction
- That the right-of-way on Old Yorkville Road east of 63rd Drive is 66 feet and is based on the road centerline

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 the Wisconsin Department of Corrections plans to place a sex offender in the Town at a residence on 58th Road in mid-December. Ekes noted that since the offender established residency in the Town prior to the Town's adoption of the domicile restriction for sex offenders this spring, the Town has no authority to deny placement of the offender, especially since the proposed location is outside of all restricted areas. She also discussed planned state legislation to preempt local sex offender residency ordinances.
- That the Town's annual 2016 budget notice was published, adding that the planned culvert replacement work on 58th Road was included in the notice, as it was unclear whether the work would be completed in 2015. Madsen stated that he was notified that this work would likely be completed this fall. McKinney stated that this expense could be removed from the final 2016 budget by the Town Board if the work is completed this year.
- That the Town Board has a winter operations meeting with the Racine County Highway Department on Monday, November 9, at 9:00 a.m.
- That the Wisconsin Department of Natural Resources is in the process of negotiating to purchase the railroad right-of-way paralleling Durand Avenue (STH 11), adding that no timeline has been established for conversion of this right-of-way to a recreational trail. He noted that the right-of-way could be used for placement of sewer utility infrastructure but added that such infrastructure must be compliant with railroad specifications in case the right-of-way was ever converted back to railroad use.
- That the Town Board would need to adopt a new implements of husbandry weight restriction ordinance by November 30
- That the Central Racine County Health Department has scheduled a children's flu vaccination clinic in Burlington on November 4
- That the owner of the properties located at the southeast corner of the east intersection of North Colony Avenue (USH 45) and Washington Avenue (STH 20) plans to attend the November 9 joint Town Board/Plan Commission meeting to discuss potential lot line reconfiguration and development of six lots at that location

Other – Comments, questions and suggestions

No comments, questions or suggestions were provided.

Adjournment

Motion (McMahon, Gruhn) to adjourn, MC. The meeting was adjourned at 7:33 p.m. The next scheduled Town Board meeting is Monday, November 9, 2015, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer