

MINUTES

**TOWN OF YORKVILLE
JOINT TOWN BOARD/PLAN COMMISSION
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, JANUARY 11, 2016**

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, Gary Fink, Barbara Geschke and Robert Root. Douglas Nelson and Nathan Skewes were absent. Also present were Daniel Thompson and Eric Woelbing representing E&D Auto, LLC, Julie Norgelos, Engineer Mark Madsen, Code Enforcement Officer Terrence O'Brien and Clerk-Treasurer Michael McKinney.

Approval of Minutes

Motion (McMahon, Gruhn) to approve the December 30, 2015 Town Board meeting minutes as presented, MC.

Approval of Financial Reports

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

Approval of Town Invoices

Motion (Gruhn, McMahon) to approve payment of Town invoices as presented in the amount of \$36,297.48, MC.

Approval of Stormwater Invoices

Motion (McMahon, Gruhn) to approve payment of Stormwater invoices as presented in the amount of \$23,077.75, MC.

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

Acceptance of the resignation of joint Dover-Yorkville Municipal Court judge Richard Barta and appointment of Mackenzie Bishop-Buchanan as a replacement joint Dover-Yorkville Municipal Court judge to serve the remainder of the current term for this position

McKinney noted that the Town of Dover had an agenda item for their meeting this evening to accept Barta's resignation and appoint Bishop-Buchanan to replace him. He added that

Bishop-Buchanan is a part-time prosecutor in the Racine County District Attorney's office and a Yorkville resident.

Motion (Hansen, McMahon) to accept the resignation of joint Dover-Yorkville Municipal Court judge Richard Barta, MC.

Motion (McMahon, Gruhn) to appoint Mackenzie Bishop-Buchanan as the replacement joint Dover-Yorkville Municipal Court judge to serve the remainder of the current term for this position, MC.

Public Hearing – The Town Board and Plan Commission held a joint public hearing to hear public comment on a request submitted by E&D Auto, LLC (with Eric Woelbing and Daniel Thompson as applicants) for conditional use approval for the property located at 1901 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-20-018-000) in the B-3 (Commercial Service) Zoning District to continue the existing automotive sales business at this address under the name Better Buy Auto Sales and the automotive collision repair shop at this address under the name Union Grove Collision Center and to increase the number of vehicles displayed for sale at this address to 65

Hansen opened the public hearing at 6:08 p.m.

Daniel Thompson and Eric Woelbing appeared before the Town Board and Plan Commission to discuss this application. The following information was provided on the application:

- The applicants propose to continue the existing automotive sales business at this address under the name Better Buy Auto Sales and the automotive collision repair shop at this address under the name Union Grove Collision.
- The applicants propose to increase the number of vehicles displayed for sale at this address to 65.
- No changes to the existing structures on the property and no additional land use changes are proposed.
- Parking for vehicles for sale would be in front of the office building and between the auto body shop building and the office building, while employee parking and parking for vehicles in for repair would be behind the auto body shop building.
- All vehicle parking would use the existing parking facilities on the property.
- 45 vehicles for sale would be parked alongside and in front of the office building, while 20 vehicles for sale would be parked between the office building and the auto body shop building.
- The applicants plan to have two part-time employees and hours of operation of 10:00 a.m. to 6:00 p.m., Monday through Saturday.
- Water and sewer service are provided by a well and holding tank.
- Three lights were installed on telephone poles by WE Energies in 2015.

Discussion focused on whether allowing the proposed number of vehicles for sale on the property would create a crowded appearance and would create unsafe conditions for customers while on the property. Thompson noted that there are currently approximately 40 vehicles for sale on the property. He added that he would have fewer vehicles for sale on the property during the winter months than the 65 proposed. Geschke suggested that parking spaces 25-33 on the submitted site plan be eliminated from the front parking area to create

more space for the vehicles parked there. Woelbing noted that the entire parking lot is asphalted, with Thompson adding that parking spaces are not currently marked. Julie Norgelos expressed concerns over whether the storage of junked or scrap vehicles would be allowed on the rear of the property. Hansen recommended that junked or scrap vehicles not be permitted on the property, adding that the damaged vehicles kept on the property should be repaired and removed as quickly as possible. Thompson noted that he normally has about six vehicles in for collision repair at any time. Woelbing stated that vehicles will not be stored in the wooded area on the rear of the property.

With no other comments forthcoming, Hansen closed the public hearing at 6:26 p.m.

Request submitted by E&D Auto, LLC (with Eric Woelbing and Daniel Thompson as applicants) for conditional use approval for the property located at 1901 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-20-018-000) in the B-3 (Commercial Service) Zoning District to continue the existing automotive sales business at this address under the name Better Buy Auto Sales and the automotive collision repair shop at this address under the name Union Grove Collision Center and to increase the number of vehicles displayed for sale at this address to 65

Motion (Geschke, Fink) to recommend approval of the request submitted by E&D Auto, LLC (with Eric Woelbing and Daniel Thompson as applicants) for conditional use approval for the property located at 1901 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-20-018-000) in the B-3 (Commercial Service) Zoning District to continue the existing automotive sales business at this address under the name Better Buy Auto Sales and the automotive collision repair shop at this address under the name Union Grove Collision Center and to increase the number of vehicles displayed for sale at this address, with the following condition:

- That the number of vehicles kept on the property at any time be limited to no more than 55 vehicles for sale and 15 vehicles for collision repair, MC.***

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by E&D Auto, LLC (with Eric Woelbing and Daniel Thompson as applicants) for conditional use approval for the property located at 1901 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-20-018-000) in the B-3 (Commercial Service) Zoning District to continue the existing automotive sales business at this address under the name Better Buy Auto Sales and the automotive collision repair shop at this address under the name Union Grove Collision Center and to increase the number of vehicles displayed for sale at this address, with no additional conditions beyond that recommended by the Plan Commission, MC.

Revisions to Chapter 28 of the Town of Yorkville Code of Ordinances regarding land divisions

Re-establishment of the Yorkville Long Range Planning Committee

The Town Board and Plan Commission discussed whether any changes to Chapter 28 were necessary, opting to make only small-scale changes to the chapter to correct minor issues and bring the chapter in compliance with state law rather than to revise the entire chapter. They also discussed whether the conservation subdivision language within this chapter should be kept or replaced. McKinney noted that a full-scale revision of this chapter would

cost approximately \$10,000.00 in legal fees. The Town Board requested that McKinney contact the Town's attorney to ask him to compile a list of the revisions that should be made to this chapter. The Town Board and Plan Commission also discussed whether to re-establish the Yorkville Long Range Planning Committee to recommend updates to Chapter 28 and to work on updates to the Town's land use plan.

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

Resolution 2016-01 Existing Employer Option Selection Resolution - Wisconsin Public Employers' Group Health Insurance Program

McKinney noted that this resolution finalizes the Town's decision to offer dental coverage through the Wisconsin Public Employers' Group Health Insurance Program. He added that dental coverage was included automatically in this program in the past, noting that employers did not have the option to offer only medical insurance through this program.

Motion (Gruhn, McMahan) to approve Resolution 2016-01 as presented, MC.

Reports

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

- That he is still attempting to contact the owner of the property located at 18826 Washington Avenue (STH 20) regarding storage on that property
- That the owner of the property located at 18903 2 Mile Road was given a 30-day notice in December to remove items stored on the property

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

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

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

- That the 58th Road culvert extension project has been completed. He noted that the guardrails have not been replaced yet, adding that he recommended that the guardrails not be replaced until spring when the weather improves. The Town Board did not object to having the guardrails replaced in spring.
- That he received a phone call regarding potential division of the property located at 17808 58th Road, noting that the property owner may consider filing an application for a subdivision plat

Yorkville Stormwater Utility District Report: The Stormwater Utility District Chair was not present to provide his report to the Town Board. Gruhn noted that the Yorkville Stormwater Utility District Commission meets again on January 21.

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

- That no additional status updates were available regarding the proposed subdivision plat

for the properties located at the intersection of North Colony Avenue (USH 45) and Washington Avenue (STH 20)

- That there will likely be a primary election on Tuesday, February 16
- That he received a request from the Southeastern Wisconsin Regional Planning Commission to approve a comprehensive economic development strategy for southeastern Wisconsin. The Town Board opted to receive and review this information before taking any action.

Other – Comments, questions and suggestions

McMahon noted that he observed vegetation clearing activities taking place on a small lot west of 19720 Spring Street (CTH C). The Town Board and Plan Commission also discussed upcoming Board of Review training in March offered by the Wisconsin Towns Association.

Adjournment

Motion (Fink, Root) to adjourn, MC. The meeting was adjourned at 7:07 p.m. The next scheduled Town Board meeting is Monday, January 25, 2016, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer