

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, APRIL 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, Douglas Nelson and Barbara Geschke. Robert Root and Nathan Skewes were absent. Also present were Shelly Petrick, Jenny Braun, Matthew Lang representing Guardian Pest Solutions, Andrew Phillips, Dwight Dreger, Mark Patzke, Dawn Patzke, Stormwater District Commission Chair Stephen Nelson, Engineer Mark Madsen and Clerk-Treasurer Michael McKinney.

### Approval of Minutes

***Motion (McMahon, Gruhn) to approve the March 28, 2016 Town Board meeting minutes as presented, MC.***

### Approval of Financial Reports

***Motion (Gruhn, McMahon) to approve the March 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 \$40,102.72 MC.***

### Approval of Stormwater Invoices

***Motion (Gruhn, McMahon) to approve payment of Stormwater invoices as presented in the amount of \$508.50 MC.***

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

#### Leadership Union Grove Rails-to-Trails presentation

Leadership Union Grove Class of 2016 representatives Shelly Petrick and Jenny Braun appeared before the Town Board and Plan Commission to discuss their efforts to raise awareness of the planned conversion of the existing railroad right-of-way in the Town along Durand Avenue (STH 11) into a recreational trail. They noted that the railroad is currently

removing railroad track and ties and is negotiating with the Wisconsin Department of Natural Resources on the sale of the existing right-of-way.

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

**Request submitted by 945 Anita, LLC (on behalf of Guardian Pest Solutions, Inc.) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 106 (Parcel ID # 018-03-21-13-029-112) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with a satellite office for a pest control firm called “Guardian Pest Solutions” and storage for a thermal radiant heat van**

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

- Applicant seeks approval to occupy said unit at this address with a satellite office for a pest control firm called Guardian Pest Solutions and storage for a thermal radiant heat van
- Daily operating hours of Monday through Friday from 6:00 a.m. to 6:00 p.m.
- Small supply of chemicals to be stored on-site for use in the field, with material safety data sheet documentation available upon request
- No disposal of dead pests on-site
- Outdoor parking for employee vehicles
- No outdoor equipment or material storage
- Up to six employees working or parking on-site, with only one employee normally on-site
- Radiant heat van to be used on a daily basis
- Planned occupancy of May 1, 2016

***Motion (Fink, Nelson) to recommend approval of the request submitted by 945 Anita, LLC (on behalf of Guardian Pest Solutions, Inc.) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 106 (Parcel ID # 018-03-21-13-029-112) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with a satellite office for a pest control firm called Guardian Pest Solutions and storage for a thermal radiant heat van, with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission’s recommendation and to approve the request submitted by 945 Anita, LLC (on behalf of Guardian Pest Solutions, Inc.) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 106 (Parcel ID # 018-03-21-13-029-112) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with a satellite office for a pest control firm called Guardian Pest Solutions and storage for a thermal radiant heat van, with no conditions, MC.***

**Temporary Holding Tank Agreement and Holding Tank Servicing Contract submitted by Dwight Dreger for 15540 Braun Road (Parcel ID # 018-03-21-26-023-030)**

Andrew Phillips appeared before the Town Board and Plan Commission to discuss this application. He noted that this application was submitted since the home may be ready for occupancy before the home’s mound system can be installed. He added that he currently

has a permit from Racine County to install the mound system. Hansen noted that Racine County is aware of this and does not have any objections to the proposal. Phillips stated that the tanks will have a 2,000 gallon capacity and are the same tanks that will be used with the permitted mound system. He added that it may take up to three weeks to fill the tanks to capacity and noted that the tanks do have an alarm system that will notify the property owner if the tanks are full and need to be pumped. The Town Board and Plan Commission discussed allowing this on a temporary basis until July.

***Motion (Nelson, Geschke) to recommend approval of the Temporary Holding Tank Agreement and Temporary Holding Tank Servicing Contract submitted by Dwight Dreger for 15540 Braun Road (Parcel ID # 018-03-21-26-023-030), with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the Temporary Holding Tank Agreement and Temporary Holding Tank Servicing Contract submitted by Dwight Dreger for 15540 Braun Road (Parcel ID # 018-03-21-26-023-030), with the condition that the Temporary Holding Tank Agreement and Temporary Holding Tank Servicing Contract both automatically expire after a period of 90 days, MC.***

**License and permit applications submitted by Mike Wiedenbeck on behalf of Bronco Select Baseball for the Bronco Select Baseball Pig Roast, to be held at the Racine County Fairgrounds Activity Building, 19805 Durand Avenue (STH 11), on Saturday, May 21, 2016, from 1:00 p.m. to 11:30 p.m., including the following applications:**

- **Special Event Permit**
- **Temporary Class "B" License to sell fermented malt beverages at the Racine County Fairgrounds Beer Pavilion**
- **Temporary Operator Licenses**
  - **Kari Katterhagen**
  - **Robert Katterhagen**
  - **Brian Van Swol**
  - **Dawn Van Swol**
  - **Mike Wiedenbeck**

***Motion (Gruhn, McMahon) to grant all licenses and permits applied for by Mike Wiedenbeck on behalf of Bronco Select Baseball for the Bronco Select Baseball Pig Roast, to be held at the Racine County Fairgrounds Activity Building, 19805 Durand Avenue (STH 11), on Saturday, May 21, 2016, from 1:00 p.m. to 11:30 p.m., with no conditions, MC.***

### **2435 53<sup>rd</sup> Drive drainage complaint**

Mark Patzke appeared before the Town Board regarding this issue. He stated that the natural drainage through the property to the south appears to have been disrupted, causing water to back up onto the field in front of his home and across his driveway. He noted that the farmer leasing this field has difficulty accessing it because of standing water. Madsen stated that he conducted a site visit on the property in 2015, adding that there was a plan submitted by the original consultant for the auxiliary ponds on this property. He noted that the ponds may not have been completed to the standards shown in the submitted plans. He

added that the drainage issue may be caused by a malfunctioning pond outlet. Patzke stated that drainage was originally meant to be handled by the installation of a drainage swale and added that a drain tile was installed in place of the swale. The Town Board and Plan Commission discussed whether it would be necessary to create a drainage swale and install drain tile to alleviate this issue. Madsen stated that he would review the original plans for the project and meet with the property owner in the next month to discuss this issue with him. The Town Board and Plan Commission planned to address this issue again at their meeting on May 9.

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

## **Results of 2016 annual road inspection**

The Town Board discussed the results of their annual road inspection conducted last week. They reiterated the need to perform maintenance on roads while they are in good condition to avoid expending unnecessary funds on maintaining failing roads. Discussion focused on potential seal coating and crack filling projects on 50<sup>th</sup> Road, 61<sup>st</sup> Drive, 51<sup>st</sup> Drive, 2 Mile Road, 52<sup>nd</sup> Road and Walden Drive, as well as the potential costs of laying a new course of asphalt on 10<sup>th</sup> Avenue and 59<sup>th</sup> Drive north of Spring Street (CTH C). Hansen noted that laying a new 3-inch course of asphalt on 59<sup>th</sup> Drive would cost approximately \$80,000, including materials and labor; he added that this quote does not include any pulverizing of the existing road surface. McMahon stated that he would contact Scott Construction for a quote to pulverize and seal 59<sup>th</sup> Drive. He requested that that Town Board discuss this issue again at their May 23 meeting and instructed McKinney to provided up-to-date expenditures for road maintenance and snow plowing in time for that meeting.

***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.

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

***Motion (Gruhn, Hansen) 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 remaining 58<sup>th</sup> Road culvert extension work should be completed soon
- That the contracts for the 2016 repaving of a portion of Grandview Parkway will be ready for signatures upon the final review of the Town's attorney

**Yorkville Stormwater Utility District Report:** Stephen Nelson noted that the remaining obstruction clearing work on the East Branch of the Root River Canal has been completed and added that the remaining logs left along the canal will be removed this fall.

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

- That the Colony Avenue (USH 45) road reconstruction and roundabout project will likely begin in 2017 and end in 2018. He added that this project will involve widening the USH 45 roadway and shoulders between the Village of Union Grove and the USH 45/Washington Avenue (STH 20) roundabout. He noted that a roundabout will be constructed at the intersection of USH 45 and Spring Street (CTH C). He added that this project also includes leveling a hill near Plank Road (CTH A) to improve visibility there.
- That he and the Town's engineer have a meeting scheduled later this week regarding the potential division of the property located at 17808 58<sup>th</sup> Road
- That the owner of the property located at 910 South Sylvania Avenue plans to acquire a two-acre portion of the vacant lot to the south to create a three-acre lot via lot line adjustment. He added that the property owner plans to add additional parking space on this newly acquired property. The Town Board recommended that the applicant submit a site plan and a grading and drainage plan for review and approval.
- That an application for a conditional use permit has been submitted for the property located at 1904 51<sup>st</sup> Drive, which will likely be considered at the May 9, 2016 joint Town Board/Plan Commission meeting
- That an application for rezoning, land use plan amendment and a conditional use permit has been submitted for the property located at 1818 South Colony Avenue (USH 45) and may be considered at the June 13, 2016 joint Town Board/Plan Commission meeting
- That the Annual Town Elector Meeting is scheduled for Thursday, April 21, 2016, at 7:00 p.m.
- That he has not received any renewal applications for this year's annual implements of husbandry permits. He noted that he would contact past applicants to make them aware of the need to reapply for these permits this year.

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

McMahon discussed his attendance of a meeting between the Village of Somers and the Town of Paris in Kenosha County related to development west of I-94. Gruhn discussed the need to schedule informational meetings related to the Yorkville Water Utility District's negotiations with the Racine Water Utility regarding the potential sale of Yorkville's water utility. Geschke asked whether the Town received any additional contacts about the peacock reported at large several weeks ago. McKinney noted that he was not contacted again about this.

### **Adjournment**

***Motion (Nelson, McMahon) to adjourn, MC.*** The meeting was adjourned at 7:11 p.m. The next scheduled Town Board meeting is Monday, April 25, 2016, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*