

MINUTES

**TOWN OF YORKVILLE
JOINT TOWN BOARD/PLAN COMMISSION
TOWN BOARD ROOM
UNION GROVE MUNICIPAL CENTER
MONDAY, JUNE 13, 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 Nathan Skewes. Barbara Geschke and Robert Root were absent. Also present were Kyle Little representing Daniels Sharpsmart, Todd Wolfe and Don Menhorn representing Stericycle, William Teunas representing Freeway Auto Salvage, Margery Naffziger, Marvin Gleason, Karen Kristopeit, Thomas Hribar representing Hribar Land Management, Robert Gehrand, Ellen Gehrand, Mark Patzke, Jose Ortiz, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Engineer Mark Madsen, Clerk-Treasurer Michael McKinney and approximately nine other attendees.

Approval of Minutes

Motion (Gruhn, McMahon) to approve the May 23, 2016 Town Board meeting minutes as presented, MC.

Approval of Financial Reports

Motion (McMahon, Gruhn) to approve the May 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 \$88,045.52, MC.

Approval of Stormwater Invoices

Motion (McMahon, Gruhn) to approve payment of Stormwater invoices as presented in the amount of \$103.32, MC.

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

Public Hearing – The Town Board held a public hearing to hear public comment on an application submitted by Daniels Sharpsmart, Inc. for a 2016-2017 Solid Waste Disposal, Storage or Treatment Permit to operate a regulated medical waste treatment facility utilizing

Autoclave (steam sterilization treatment) technology at 1340 Grandview Parkway (Parcel ID # 018-03-21-13-029-070) in the M-3 (Heavy Industrial) Zoning District

Hansen opened the public hearing at 6:02 p.m.

Kyle Little appeared before the Town Board to discuss this application. He described the treatment process utilized at this facility.

With no other comments forthcoming, Hansen closed the public hearing at 6:05 p.m.

Public Hearing – The Town Board held a public hearing to hear public comment on an application submitted by Stericycle, Inc. for a 2016-2017 Solid Waste Disposal, Storage or Treatment Permit to operate a regulated medical waste treatment facility utilizing Electro-Thermal Deactivation (shredding and thermal inactivation by use of low frequency radio waves) technology at 14035 Leetsbir Road (Parcel ID #'s 018-03-21-24-002-130 and 018-03-21-24-002-120) in the M-3 (Heavy Industrial) Zoning District

Hansen opened the public hearing at 6:05 p.m.

Don Menhorn appeared before the Town Board to discuss this application. He described the treatment process utilized at this facility.

With no other comments forthcoming, Hansen closed the public hearing at 6:07 p.m.

License and permit applications for the period of July 1, 2016 to June 30, 2017 for the following licenses and permits:

- **Daniels Sharpsmart, Inc., 1340 Grandview Parkway**
 - **Solid Waste Disposal, Storage or Treatment Permit**

Hansen noted that he received a request from the Yorkville Sewer Utility District manager that the Town Board hold this permit application over until the next Town Board meeting so that the Yorkville Sewer Utility District Commission has an opportunity to review compliance-related issues reported to the Town by the Wisconsin Department of Natural Resources related to operations at this facility.

Motion (Hansen, McMahon) to lay over this permit application for reconsideration at the Monday, June 27, 2016 Town Board meeting, MC.

- **Stericycle, Inc., 14035 Leetsbir Road**
 - **Solid Waste Disposal, Storage or Treatment Permit**

Motion (McMahon, Gruhn) to grant a Solid Waste Disposal, Storage or Treatment Permit to Stericycle, Inc., 14035 Leetsbir Road, with no conditions, MC.

- **Apple Holler, 5006 South Sylvania Avenue (Agent: A. David Flannery) (Premises: Restaurant and Gift Shop)**
 - **Combination Class B Beer and Liquor License**
 - **Operator Licenses**
 - **Cassandra Flannery**

- Connor Flannery
- Elyse Flannery
- Vicki Flannery
- Liselotte Schacht
- Mark Styve

Motion (Gruhn, McMahon) to grant all licenses applied for by Apple Holler, 5006 South Sylvania Avenue, with no conditions, MC.

- **Citgo Auto Truck Plaza, 611 South Sylvania Avenue (Agent: Robert Francis Basil) (Premises: Truck Stop and Convenience Store)**
 - **Class “A” Beer and Class “B” Beer Licenses**
 - **Operator Licenses**
 - Sean Albrecht
 - Steven Basil
 - Ryan Burch
 - Christine Garvey
 - Jovan Jackson
 - Justin Langenfeld
 - Jerome Michel
 - Ryan Nelson
 - Matt Strasser
 - Jonathan Witek
 - **Cigarette License**
 - **Gaming Machine License (5 video gaming + 2 miscellaneous)**

Motion (McMahon, Hansen) to grant all licenses applied for by Citgo Auto Truck Plaza, 611 South Sylvania Avenue, with no conditions, MC.

- **Fairway Café, Inc., 14101 Washington Avenue (Agent: Peter James Eitel) (Premises: Clubhouse and Beverage Cart)**
 - **Combination Class B Beer and Liquor License**
 - **Operator Licenses**
 - Candace Baas
 - Irene Hernandez
 - Patricia Kempken
 - Rebecca Kocha
 - Kylee Moe
 - Danielle Seitz
 - **Cigarette License**

Motion (Gruhn, McMahon) to grant all licenses applied for by Fairway Café, Inc., 14101 Washington Avenue, with no conditions, MC.

- **Highlands Petro, 717 South Sylvania Avenue (Agent: Shari Erskine) (Premises: Travel Store, Iron Skillet and Southwest Corner of Parking Lot [Auto])**
 - **Combination Class B Beer and Liquor License**
 - **Operator Licenses**

- Lorie DeGuire
- Justine Heineck
- Mary Hoegsted
- Nakia Hudson
- Mia Irish
- Jeanne Klinkhammer
- Jennifer Lunceford
- Julie Paulaski
- Jennifer Risch
- Sheila Slye
- Stella Teschner
- Elizabeth Woods
- Cigarette License
- Gaming Machine License (5 video gaming + 15 miscellaneous)

The Town Board discussed outstanding charges that remain unpaid by the applicant, as well as Town ordinances requiring that all outstanding taxes, fees and charges be paid in full by an applicant before licenses or permits are issued. McMahon discussed having the applicant attend the Wednesday, June 22, 2016 Yorkville Sewer Utility District Commission meeting to discuss the issue of non-payment of outstanding charges further. He also requested that an agreement be established with the applicant guaranteeing that these past due charges will be paid.

Motion (Hansen, Gruhn) to grant all licenses applied for by Highlands Petro, 717 South Sylvania Avenue, and to waive Town of Yorkville Code of Ordinances Section 14-47 requiring the withholding of licenses for nonpayment of amounts due to the Town, subject to the applicant appearing at the Wednesday, June 22, 2016 Yorkville Sewer Utility District Commission meeting to discuss the issue of non-payment of outstanding charges further, MC.

- GZK Enterprises, LLC/Outback Tiki, 14007 Washington Avenue (Agent: Steve Hawkins) (Premises: Vacant Land, Parking Lot and Road Easement)
 - Combination Class B Beer and Liquor License

Motion (Gruhn, Hansen) to grant a Combination Class B Beer and Liquor License to GZK Enterprises, LLC/Outback Tiki, 14007 Washington Avenue, with no conditions, MC.

- Racine Instinctive Bowmen, 14403 50th Road (Agent: Thomas A. Peterson) (Premises: Clubhouse and Pavilion)
 - Combination Class B Beer and Liquor License
 - Operator Licenses
 - Michael Bartol
 - James Gaastra
 - Daniel Gruhn
 - Jeff Gruhn
 - Larry Radcliff
 - Lee Stephans

Motion (McMahon, Gruhn) to grant all licenses applied for by Racine Instinctive Bowmen, 14403 50th Road, with no conditions, MC.

- **Route 20 Outhouse, 14001 Washington Avenue (Agent: Ray Stibeck) (Premises: Restaurant and Bar)**
 - **Combination Class B Beer and Liquor License**
 - **Operator Licenses**
 - **Jenna Christensen**
 - **Rochelle Marino**
 - **Kimberly Parrett**
 - **Robin Robbins**
 - **Rachel Stonis**
 - **Randall Treu**
 - **Bianca Vargas**
 - **Gaming Machine License (5 video gaming + 3 miscellaneous)**
 - **Dance Hall License**
 - **Annual Special Event Permit**

Motion (McMahon, Gruhn) to grant all licenses and permits applied for by Route 20 Outhouse, 14001 Washington Avenue, with no conditions, MC.

- **Fonk's Home Center, Inc., 15941 Durand Avenue**
 - **Mobile Home Park License**

Motion (McMahon, Gruhn) to grant a Mobile Home Park License to Fonk's Home Center, Inc., 15941 Durand Avenue, with no conditions, MC.

- **Global Hotels, Inc. dba Quality Inn, 910 South Sylvania Avenue**
 - **Hotel/Motel License**

Motion (McMahon, Gruhn) to grant a Hotel/Motel License to Global Hotels, Inc. dba Quality Inn, 910 South Sylvania Avenue, with no conditions, MC.

- **Freeway Auto Salvage, Inc., 2118 North Sylvania Avenue**
 - **Junk or Auto Salvage Facility License**

McKinney noted that he received a report from the Code Enforcement Officer stating that the front of this property has been cleaned up, while adding that the rear of this property is still in need of clean up. William Teunas noted that he is working to clean up the rear of the property, adding that some of the doors kept on the property are being sold wholesale to Mexico.

Motion (McMahon, Gruhn) to grant a Junk or Auto Salvage Facility License to Freeway Auto Salvage, Inc., 2118 North Sylvania Avenue, with no conditions, MC.

Request submitted by the Stacy and Margery Naffziger Trust for certified survey map approval for the property located at 17806 Old Yorkville Road (Parcel ID # 018-03-21-04-046-000) in the A-2 (General Farming and Residential II) Zoning District to divide the existing 74.2-acre parcel at this address into 5- and 15-acre parcels to the north to be

used for residential purposes and a 53.4-acre remnant parcel to the south to continue to be used for agricultural purposes

Motion (Nelson, Fink) to recommend approval of the request submitted by the Stacy and Margery Naffziger Trust for certified survey map approval for the property located at 17806 Old Yorkville Road (Parcel ID # 018-03-21-04-046-000) in the A-2 (General Farming and Residential II) Zoning District to divide the existing 74.2-acre parcel at this address into 5- and 15-acre parcels to the north to be used for residential purposes and a 53.4-acre remnant parcel to the south to continue to be used for agricultural purposes, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by the Stacy and Margery Naffziger Trust for certified survey map approval for the property located at 17806 Old Yorkville Road (Parcel ID # 018-03-21-04-046-000) in the A-2 (General Farming and Residential II) Zoning District to divide the existing 74.2-acre parcel at this address into 5- and 15-acre parcels to the north to be used for residential purposes and a 53.4-acre remnant parcel to the south to continue to be used for agricultural purposes, with no conditions, MC.

Public Hearing – The Town Board and Plan Commission held a joint public hearing to hear public comment on a request submitted by Hribar Land Management (with Thomas Hribar as applicant) for conditional use approval for the property located at 2221 Raymond Avenue (CTH U) (Parcel ID # 018-03-21-04-060-000) in the M-3 (Heavy Industrial) Zoning District to permit reconfiguration of the former building and gravel drive areas on this property into a graveled trailer parking lot for up to 107 trailers with concrete dolly pads added for support of the apparatus of each trailer when parked

Hansen opened the public hearing at 6:29 p.m.

Thomas Hribar appeared before the Town Board and Plan Commission to discuss this application. The following information was provided on the application:

- Proposed use is reconfiguration of the former building and gravel drive areas on this property into a graveled trailer parking lot for up to 107 trailers with concrete dolly pads of 6 feet wide and 250 to 300 feet long added for support of the apparatus of each trailer when parked
- No new lighting will be added to the parking area; lighting will come from light fixtures on the existing buildings on the site
- The site is fenced in and has gated access, with access on a blacktop driveway
- That the applicant does not anticipate using the site for parking of any refrigeration (reefer) trailers that will be running while parked on the site

Hribar noted that this site may only be used for a few months at a time based upon parking needs and added that Johnson Wax plans to use this site to store some of their trailers.

With no other comments forthcoming, Hansen closed the public hearing at 6:34 p.m.

Request submitted by Hribar Land Management (with Thomas Hribar as applicant) for conditional use approval for the property located at 2221 Raymond Avenue (CTH U)

(Parcel ID # 018-03-21-04-060-000) in the M-3 (Heavy Industrial) Zoning District to permit reconfiguration of the former building and gravel drive areas on this property into a graveled trailer parking lot for up to 107 trailers with concrete dolly pads added for support of the apparatus of each trailer when parked

Motion (Fink, Nelson) to recommend approval of the request submitted by Hribar Land Management (with Thomas Hribar as applicant) for conditional use approval for the property located at 2221 Raymond Avenue (CTH U) (Parcel ID # 018-03-21-04-060-000) in the M-3 (Heavy Industrial) Zoning District to permit reconfiguration of the former building and gravel drive areas on this property into a graveled trailer parking lot for up to 107 trailers with concrete dolly pads added for support of the apparatus of each trailer when parked, with no conditions, MC.

Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by Hribar Land Management (with Thomas Hribar as applicant) for conditional use approval for the property located at 2221 Raymond Avenue (CTH U) (Parcel ID # 018-03-21-04-060-000) in the M-3 (Heavy Industrial) Zoning District to permit reconfiguration of the former building and gravel drive areas on this property into a graveled trailer parking lot for up to 107 trailers with concrete dolly pads added for support of the apparatus of each trailer when parked, with no conditions, MC.

Pre-application conference regarding a proposed division of the property located at 3708 Gehrand Court (Parcel ID # 018-03-21-26-009-000)

Robert Gehrand appeared before the Town Board and Plan Commission to discuss this request. He stated that he wanted to divide the property so that the house is placed onto its own lot separate from the existing farm buildings. Hansen noted that the new lot to be created would need to be rectangular in shape and added that all buildings would need to adhere to Racine County's requirements on building setbacks, since the home and the adjacent farm buildings are approximately 50 feet apart, with some setbacks as low as 25 feet. Gehrand stated that he would like the existing driveway to be included with the parcel that the farm buildings would remain on, while the home would have easement access to this driveway. Madsen noted that Gehrand could have driveway ownership attached to either property with easement access going to the other property. Gehrand stated that he probably will not build a home on the farm lot. Hansen stated that the property with the existing residence on it should be as large and as rectangular as possible. The Town Board and Plan Commission did not voice any significant objections to this proposal.

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

2016 Road Maintenance Quotes

McMahon discussed several quotes totaling \$38,000.00 that were provided by Crack Filling Service for Town road crack filling, including the following:

- Church Road from North Colony Avenue (USH 45) west to the Dover town line - \$5,000.00

- Savage Road, Log Cabin Drive and 52nd Road from North Colony Avenue (USH 45) east to 67th Drive - \$7,500.00
- Walden Drive and Thoreau Court - \$7,500.00
- Forest View Circle and the Town's portion of Two Mile Road - \$7,500.00
- 50th Road from Raymond Avenue (CTH U) east to North Sylvania Avenue - \$1,000.00
- 61st Drive from Plank Road (CTH A) south to Spring Street (CTH C) - \$7,500.00
- 51st Drive from Spring Street (CTH C) south to 58th Road - \$2,000.00

Motion (McMahon, Hansen) to approve all crack filling quotes provided by Crack Filling Service for 2016, totaling \$38,000.00, MC.

McMahon discussed several quotes totaling \$124,075.00 that were provided by Scott Construction for Town road sealing, including the following:

- 51st Drive from Spring Street (CTH C) south to 58th Road - Single seal with black boiler slag - \$21,650.00
- 67th Drive from Spring Street (CTH C) south to 58th Road - Single seal with black boiler slag - \$12,100.00
- 59th Drive from Spring Street (CTH C) north to its terminus - Pulverize the existing road, fine grade and compact the stone base and double seal with fractured pea gravel - \$34,475.00
- Church Road from North Colony Avenue (USH 45) west to the Dover town line - Single seal with black boiler slag - \$19,125.00
- 65th Drive from Old Yorkville Road north to 2 Mile Road - Single seal with black boiler slag - \$18,625.00
- 52nd Road from North Colony Avenue (USH 45) east to 67th Drive - Single seal with black boiler slag - \$18,100.00

Motion (Hansen, McMahon) to approve the following road sealing quotes provided by Scott Construction for 2016, totaling \$68,225.00: 51st Drive from Spring Street (CTH C) south to 58th Road - Single seal with black boiler slag - \$21,650.00; 67th Drive from Spring Street (CTH C) south to 58th Road - Single seal with black boiler slag - \$12,100.00; 59th Drive from Spring Street (CTH C) north to its terminus - Pulverize the existing road, fine grade and compact the stone base and double seal with fractured pea gravel - \$34,475.00, MC.

Hansen noted that the Town received a quote from Racine County Public Works in the amount of \$56,000.00 for a 2-inch mill and asphalt overlay and gravel shouldering of the Town's portion of 10th Avenue.

Motion (Hansen, McMahon) to approve the quote provided by Racine County Public Works in the amount of \$56,000.00 for a 2-inch mill and asphalt overlay and gravel shouldering of the Town's portion of 10th Avenue, MC.

Hansen noted that shouldering work should be completed on 58th Road between 51st Drive and 67th Drive.

Motion (Gruhn, Hansen) to request that Racine County Public Works perform shouldering work on 58th Road between 51st Drive and 67th Drive, MC.

Collection and Recycling Site Graveling/Grading Quote

Hansen noted that he received a quote provided by Jerry Berg in the amount of \$1,500.00 for graveling and grading of the Town's collection and recycling site.

Motion (Hansen, Gruhn) to approve the quote provided by Jerry Berg in the amount of \$1,500.00 for graveling and grading of the Town's collection and recycling site, MC.

Re-establishment of the Yorkville Long Range Planning Committee

Hansen stated that he planned to contact several residents to gauge their interest in serving on this committee.

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

Rescheduling of the Monday, July 11, 2016 joint Town Board/Plan Commission meeting

Motion (Hansen, Gruhn) to reschedule the Monday, July 11, 2016 joint Town Board/Plan Commission meeting to Thursday, July 7, 2016, at 6:00 p.m., MC.

Reports

Code Enforcement Officer's Report: The Code Enforcement Officer was not present to provide his report to the Town Board. The Code Enforcement Officer requested that McKinney relay the following information to the Town Board:

- That the property located at 18826 Washington Avenue (STH 20) has yet to be cleaned up; the Code Enforcement Officer will follow up with the property owner on this issue.
- That the owner of the property located at 17806 Spring Street (CTH C) has retained new counsel regarding the storage of items on the property; the Code Enforcement Officer will follow up with the property owner's counsel on this issue.

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 design of the swale to be placed on the north outlot of the Stonecrest Shores subdivision property has been completed and may be laid out on Wednesday. The Town Board reiterated that the subdivision developer not be involved in the installation of this swale.
- That the repaving of Grandview Parkway was completed last week. He noted that backfilling still needs to be finished behind the curbs and added that street restriping has yet to be completed. He stated that several bad spots found in the soil underneath the road bed were fixed.
- That almost the entire front section of the property located at 2300 North Sylvania

Avenue up to the ditch line has been filled in, which is in violation of the Land Disturbing Construction Activity Permit issued to the property owner by the Town Board in May. He noted that he has contacted the Wisconsin Department of Natural Resources on this issue, as this additional work may have disturbed wetland areas and may also require that a notice of intent be filed.

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 two conditional use permit applications for the properties located at 1818 South Colony Avenue (USH 45) and 2638 North Sylvania Avenue will likely appear on the agenda for the Thursday, July 7, 2016 joint Town Board/Plan Commission meeting
- That he attended a meeting last week regarding Racine County's plans to migrate to new election equipment beginning next year. He noted that the potential cost of this equipment may be as high as \$11,000, adding that Racine County may not be able to provide any financial assistance to help offset the cost of this equipment.
- That Waste Management may begin charging for disposal of televisions in the future, which could require the Town to begin charging for disposal of televisions at the collection site or eliminate the collection of televisions there altogether. He noted that residents can drop televisions off at Waste Management's facility now, adding that they only accept televisions on Wednesdays from 8:00 a.m. to 2:00 p.m.
- That the Town was asked to send notices of a proposed land division at 2945 Forest View Circle to all residents in the Forest View Circle subdivision in advance of when the application is scheduled to appear before the Plan Commission and Town Board for consideration. He noted that standard practice is to notify all property owners within 300 feet by certified mail of such a request. The Town Board asked McKinney to send notices to all residents in the subdivision outside of the 300-foot buffer by standard mail to make them aware of this request.

Other – Comments, questions and suggestions

No comments, questions or suggestions were provided.

Adjournment

Motion (McMahon, Gruhn) to adjourn, MC. The meeting was adjourned at 7:26 p.m. The next scheduled Town Board meeting is Monday, June 27, 2016, at 6:00 p.m.

Michael McKinney
Clerk-Treasurer