

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, SEPTEMBER 12, 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 and Douglas Nelson. Gary Fink, Barbara Geschke, Robert Root and Nathan Skewes were absent. The Plan Commission did not have a quorum present for this meeting. Also present were Jacob Chandler representing Lifestyle Sports Apparel, Racine County Economic Development Corporation Executive Director Jenny Trick, Daryl Poisl, Sr., John Fonk, Jim Fox, Racine Journal Times reporter Mark Feldmann, Assessor Jim Henke, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Engineer Mark Madsen, Code Enforcement Officer Terrence O'Brien and Clerk-Treasurer Michael McKinney.

### **Approval of Minutes**

***Motion (Gruhn, McMahon) to approve the August 22, 2016 Town Board meeting minutes as presented, MC.***

### **Approval of Financial Reports**

***Motion (McMahon, Gruhn) to approve the August 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 \$154,998.53, MC.***

### **Approval of Stormwater Invoices**

Hansen 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:**

**Request submitted by Michael Zimmerman and Jacob Chandler (on behalf of Lifestyle Sports Apparel, LLC) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 108 (Parcel ID # 018-03-21-13-029-108) in the M-3 (Heavy**

**Industrial) Zoning District to permit occupancy of said unit at this address with fulfillment warehouse space for an e-Commerce and wholesale distribution business called “Korked Baseball”**

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

- Proposed use is occupancy of said unit at this address with fulfillment warehouse space for an e-Commerce and wholesale distribution business called Korked Baseball
- Operating hours of 9:00 a.m. to 7:00 p.m.
- Six employees to work from this facility
- Outdoor parking for employee vehicles
- No other outdoor equipment or material storage

Chandler noted that there are no plans to print shirts at this location, adding that shirts are printed in the Chicago and Milwaukee areas for this business.

Although a quorum of the Plan Commission was not present, none of the Plan Commissioners present expressed any reservations about or opposition to this proposal.

***Motion (McMahon, Gruhn) to approve the request submitted by Michael Zimmerman and Jacob Chandler (on behalf of Lifestyle Sports Apparel, LLC) for occupancy approval for the property located at 1500 South Sylvania Avenue, Unit 108 (Parcel ID # 018-03-21-13-029-108) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with fulfillment warehouse space for an e-Commerce and wholesale distribution business called “Korked Baseball”, with no conditions, MC.***

## **2016 Racine County Economic Development Corporation semi-annual report**

Jenny Trick appeared on behalf of the Racine County Economic Development Corporation (RCEDC) to provide RCEDC's 2016 mid-year summary of activities and progress in areas including business development, business finance, community development, workforce development, and administration and marketing. She noted that several properties are currently vacant in the Grandview Business Park. She also discussed RCEDC operations, noting that RCEDC has a staff of 15 and approximately \$1.19 million in annual expenditures. She added that 35% of RCEDC's revenues come from 8 municipal economic development contracts. She noted that approximately \$36 million in new construction has been established in Yorkville since 2007 through RCEDC's assistance. She stated that RCEDC's cost of providing services to the Town is \$56,608.00 per year and requested an increase in funding from the Town from \$15,500.00 in 2016 to \$20,000.00 in 2017 to help alleviate this discrepancy

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

## **Braun Road speed limit**

Daryl Poisl, Sr. presented a petition to the Town Board from residents living on Braun Road requesting that the speed limit on that road be reduced from 55 M.P.H. to 45 M.P.H. He

noted that the Village of Mount Pleasant has reduced the speed limit on their portion of Braun Road to 45 M.P.H. He added that Braun Road is heavily traveled and has a lot of pedestrian and bicycle traffic on it as well. O'Brien stated that he would contact the Racine County Sheriff about having a speed trailer set up on Braun Road.

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

**Request from John Fonk for drainage improvements on the east side of 69<sup>th</sup> Drive along the property located at 5025 69<sup>th</sup> Drive**

John Fonk appeared before the Town Board to request permission to flatten the ditch on the east side of 69<sup>th</sup> Drive along his property. He stated that it is difficult to mow this ditch given how steep the sides of it are. He noted that he also planned to bury rocks along the right-of-way. The Town Board discussed whether they would allow a private citizen to make improvements on public property within the Town's right-of-way or if the Town would need to hire a contractor to make the improvements given the potential liability of allowing private citizens to do such work themselves. The Town Board also discussed what liability exists if a private citizen is allowed to make such improvements with Town authorization and requested that McKinney contact the Town's attorney to gather more information on this issue. Fonk stated that there is a steep drop off from the edge of the gravel shoulder into the ditch that should be addressed as well. The Town Board requested that the Town's engineer meet with Fonk to discuss these issues further to determine if an issue exists that needs to be addressed.

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

**Development of vacant lots located at the southeast corner of the North Colony Avenue (USH 45)/Washington Avenue (STH 20) roundabout**

McMahon noted that the Wisconsin Department of Transportation approved a permit for a single access driveway for four properties off of North Colony Avenue (USH 45) immediately to the south of this roundabout. The Town Board discussed whether any requirements exist regarding emergency vehicle access to each proposed driveway that would require that this access driveway be of a certain width or have a place for emergency vehicles to turn around. Madsen noted that the Village of Caledonia does have strict requirements placed on driveways related to their access and use by emergency vehicles.

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

**Application for a Fireworks Permit submitted by James Elliott, Jr. for a fireworks display at 8:00 p.m. on Saturday, September 17, 2016 (with a rain date of Sunday, September 18, 2016), at the residence of Clem Stublaski, 18502 52<sup>nd</sup> Road**

***Motion (McMahon, Gruhn) to grant a Fireworks Permit to James Elliott, Jr. for a fireworks display at 8:00 p.m. on Saturday, September 17, 2016 (with a rain date of Sunday, September 18, 2016), at the residence of Clem Stublaski, 18502 52<sup>nd</sup> Road, with no conditions, MC.***

**Ordinance 2016-03 To Repeal and Recreate Chapter 2, Article IV, Division 2 of the Code of Ordinances for the Town of Yorkville, Racine County, Wisconsin relating to the Health Department**

McKinney noted that this ordinance updates definitions, statutory references and code references to be consistent with recent changes made at the state level.

***Motion (McMahon, Gruhn) to approve Ordinance 2016-03 as presented, MC.***

**Ordinance 2016-04 To Repeal and Recreate Chapter 30, Article II, Division 2 of the Code of Ordinances for the Town of Yorkville to reflect recent statutory changes relating to Firearms**

McKinney noted that this ordinance is intended to bring the Town's ordinances into compliance with state statutes related to the discharge of firearms, bows and crossbows. He requested that no action be taken on this ordinance at this time, adding that additional changes to this draft may be necessary.

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

**Stray Animal Collection and Transport Officer Employment Agreement reimbursement**

McKinney noted that he spoke to Gina Kiedrowski, who informed him that she was open to being reimbursed \$50.00 for calls she responds to where the call is cancelled before she arrives on site.

***Motion (McMahon, Gruhn) to authorize payment in the amount of \$150.00 to Gina Kiedrowski for reimbursement of services rendered in the month of July on a call for which the call was cancelled before Kiedrowski arrived on site and to amend the Stray Animal Collection and Transport Officer Employment Agreement to state that reimbursement for such calls in the future will be \$50.00, motion failed with McMahon voting yes and Hansen and Gruhn voting no.***

***Motion (McMahon, Hansen) to authorize payment in the amount of \$50.00 to Gina Kiedrowski for reimbursement of services rendered in the month of July on a call for which the call was cancelled before Kiedrowski arrived on site and to amend the Stray Animal Collection and Transport Officer Employment Agreement to state that reimbursement for such calls in the future will be \$50.00, MC.***

**2017-2019 Assessment Services Agreement submitted by DH Assessments, LLC**

Jim Henke stated that this contract does not include a price increase. He added that the Town's equalized value dropped in 2016, which brought the Town's assessment ratio close to 100%. He noted that only routine property assessment maintenance will likely be necessary for the next few years.

***Motion (Hansen, Gruhn) to approve the 2017-2019 Assessment Services Agreement submitted by DH Assessments, LLC, MC.***

## **Annual 2016-2017 Full Service Maintenance Agreement submitted by Pro-Copy, Inc. for the Town's copier machine**

McKinney noted that the annual cost of this agreement continues to be \$450.00.

***Motion (McMahon, Gruhn) to approve the annual 2016-2017 Full Service Maintenance Agreement submitted by Pro-Copy, Inc. for the Town's copier machine, MC.***

## **Software Maintenance Agreement submitted by Transcendent Technologies for the Town's Property Tax Receipting and Dog Licensing Software**

McKinney noted that Transcendent Technologies has acquired J. Mael's property tax receipting and dog licensing software package, which is the software package currently used by the Town. He added that Transcendent will charge \$600.00 annually for this package, whereas J. Mael charged \$350.00 for the same software in the past. He noted that the Racine County Treasurer currently uses Transcendent's software and recommended that the Town continue to use this software as well.

***Motion (Gruhn, McMahon) to approve the Software Maintenance Agreement submitted by Transcendent Technologies for the Town's property tax receipting and dog licensing software, MC.***

## **2016 Leadership Union Grove Program Application and Scholarship Request submitted by Amy Grimes**

***Motion (Gruhn, McMahon) to approve the 2016 Leadership Union Grove program application and scholarship request submitted by Amy Grimes, MC.***

## **Long-term road construction project planning**

McKinney presented a sample long-term road construction project planning schedule to the Town Board for their review.

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

## **Scheduling In-Office Absentee Voting for the November 8, 2016 Fall General Election**

McKinney noted that, due to a recent court ruling, each municipality has the discretion to set its own dates and hours for in-office absentee voting.

***Motion (McMahon, Hansen) to begin in-office absentee voting for the November 8, 2016 Fall General Election on Monday, October 17, 2016, with no extended or weekend hours, MC.***

## **Rescheduling of the September 21, 2016 Town Board meeting**

McMahon stated that he would be unavailable for this meeting. The Town Board opted not to change the date of the meeting.

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

## **Rescheduling of the October 5, 2016 Town Board meeting**

McMahon stated that he would be unavailable for this meeting.

***Motion (Hansen, McMahon) to reschedule the October 5, 2016 Town Board meeting to Friday, October 7, 2016, at 9:00 a.m., MC.***

## **Rescheduling of the October 10, 2016 joint Town Board/Plan Commission meeting**

McMahon stated that he would be unavailable for this meeting.

***Motion (McMahon, Hansen) to reschedule the October 10, 2016 joint Town Board/Plan Commission meeting to Wednesday, October 12, 2016, at 6:00 p.m., MC.***

## **Application for a Town credit card**

McKinney noted that the credit card company that Community State Bank works with has required that he be appointed by the Town Board as the authorizing officer responsible for making all decisions related to this credit card application and all future credit card activities.

***Motion (McMahon, Hansen) to designate Clerk-Treasurer Michael McKinney as the authorizing officer for the credit card applied for through Community State Bank, MC.***

## **Reports**

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

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

**Engineer's Report:** Madsen noted that he completed cost estimates for the 2017 reconstruction of the west end of Braun Road and 53<sup>rd</sup> Drive between 50<sup>th</sup> Road and Two Mile Road.

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

- That the owner of the property located at 17806 Spring Street (CTH C) retained new counsel regarding the storage of items on the property
- That he planned to conduct another site visit on the property located at 18826 Washington Avenue (STH 20) regarding the storage of items on the property

**Yorkville Stormwater Utility District Report:** Stephen Nelson noted that the Stormwater Utility District Commission would complete their 2017 budget in early October.

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

- That the certified survey map application submitted for the property located at 2945 Forest View Circle has been officially withdrawn at the request of the applicant

- That he was contacted regarding a potential site plan request for the property located at 19031 Spring Street (CTH C) to allow for the construction of an additional storage building there
- That a conditional use permit request has been submitted to the Racine County Planning and Development Department for the property located at 2222 53<sup>rd</sup> Drive to allow for the storage of recreational vehicles within an existing pole barn on the property
- That he received a report detailing the remaining work to be completed in the Stonecrest Shores subdivision conservation easement, which he passed on to the Town's attorney for his review

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

Gruhn noted that she was contacted about placing an article in the Town's fall newsletter from Yorkville Elementary School.

### **Adjournment**

***Motion (Gruhn, McMahon) to adjourn, MC.*** The meeting was adjourned at 7:55 p.m. The next scheduled Town Board meeting is Wednesday, September 21, 2016, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*