

## MINUTES

**TOWN OF YORKVILLE  
TOWN BOARD  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, AUGUST 28, 2017**

### 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 Adam Kimmel, Katie Kimmel, Orlando Malate, Amy Malate, Larry Strickland, Bernadette Strickland, Paul Hammes, Chuck Haubrich representing Seno K/RLT Conservancy, Code Enforcement Officer Terrence O'Brien and Clerk-Treasurer Michael McKinney.

### Approval of Minutes

***Motion (Gruhn, McMahon) to approve the August 14, 2017 joint Town Board/Plan Commission and the August 14, 2017 Town Board 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 \$26,178.93, 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:

#### **Outstanding Stonecrest Shores subdivision conservation easement maintenance issues**

The Town Board and Stonecrest Shores subdivision residents discussed the progress made on the plan of action required earlier this year by the Town Board from the subdivision's developer, the subdivision's residents and the Seno K/RLT Conservancy. Adam Kimmel stated that several meetings were held this year to discuss potential options and costs for moving forward with some or all of the improvements required to the subdivision's conservation easement areas by the First Amendment to the Conservation Subdivision Stewardship Plan for the Stonecrest Shores subdivision, such as allowing the use of portions of those easement areas for agricultural purposes and not mowing those easement areas. He noted that adopting a no-mow policy for the easement areas would not be an ideal alternative and added that there is some disagreement and a limited financial benefit for allowing agricultural uses on any portion of the easement areas. Larry Strickland stated that one alternative would be to establish a buffer zone

to separate any easement areas used for agricultural purposes from the rest of the subdivision. Chuck Haubrich stated that one issue impeding the development of prairie in some of the easement areas is the prior use of herbicides, which still impacts plant growth. He added that he has not been able to get detailed reports from the subdivision's developer listing the improvements that have been made within the easement areas.

Adam Kimmel stated that the maintenance program for the community mound system is also not current, adding that the company maintaining the mound system is currently owed between \$8,000 and \$10,000. He noted that each property owner is invoiced \$250.00 per year for maintenance of the local mound system, but not for maintenance of the community mound system. Larry Strickland stated that the subdivision's residents cannot get detailed reports on what maintenance has been completed on the community mound system since they are not a homeowner's association and do not have ownership of that system. He added that the residents are not charged any fees beyond the annual \$250.00 fee. He requested that the Town act to draw from the letter of credit held as a guarantee of completion of improvements to the subdivision's conservation easement areas, since the required improvements to those easement areas have not been completed. Hansen stated that the Town should not draw any more from this letter of credit than was originally included under the first amendment to the subdivision's stewardship plan.

***Motion (McMahon, Gruhn) to instruct the Town's attorney to do the following related to the outstanding conservation easement maintenance issues in the Stonecrest Shores subdivision:***

- ***To request that the Seno K/RLT Conservancy confirm which portions of the First Amendment to the Conservation Subdivision Stewardship Plan for the Stonecrest Shores subdivision have not been completed;***
- ***To initiate the process of drawing a portion of Irrevocable Standby Letter of Credit No. 1513 in the amount of \$50,000.00 for completion of all conservation easement work in the Stonecrest Shores subdivision based upon the confirmation provided by the Seno K/RLT Conservancy of which portions of the First Amendment to the Conservation Subdivision Stewardship Plan for the Stonecrest Shores subdivision have not been completed, MC.***

**Fireworks permit application submitted by James Elliott, Jr./J&M Displays for a fireworks display at 8:30 p.m. on Saturday, September 23, 2017 (with a rain date of Sunday, September 24, 2017), at the residence of Clem Stublaski, 18502 52<sup>nd</sup> Road**

***Motion (McMahon, Gruhn) to grant a fireworks permit to James Elliott, Jr./J&M Displays for a fireworks display at 8:30 p.m. on Saturday, September 23, 2017 (with a rain date of Sunday, September 24, 2017), at the residence of Clem Stublaski, 18502 52<sup>nd</sup> Road, with no conditions, MC.***

**2017 Leadership Union Grove program application and scholarship request submitted by Lisa Galvan**

***Motion (Gruhn, McMahon) to approve the 2017 Leadership Union Grove program application and scholarship request submitted by Lisa Galvan, MC.***

## **Building, electrical, HVAC, plumbing and miscellaneous permit fee updates**

McKinney stated that the Town's building inspector informed him that the cost of the Town's building permit management software would increase due to software upgrades and increased software data usage. He noted that the building inspector recommended that the Town cover this cost increase by either implementing a \$5.00 technology fee for all permits or an increase to the minimum permit fee from \$60.00 to \$75.00 for all permits, except for those for reroofing and residing. The Town Board recommended that notice of any change be included in the Town's fall newsletter.

***Motion (McMahon, Hansen) to increase the minimum fee for all permits issued by the Town's building inspector, except for reroofing and residing permits, by \$10.00 to \$70.00, effective January 1, 2018, and to include notice of said permit fee increase in the Town's fall newsletter, MC.***

## **Resolution No. 2017-08 Designating and appointing citizen members to the Town of Yorkville Sex Offender Residency Board**

Hansen noted that three residents volunteered to serve on this sex offender residency board: Marjorie Martin, Joseph Bergs, MD, and Terry DeBrabander. McKinney stated that the Town's attorney planned to meet with this board once its members were appointed to discuss their responsibilities and the board's administrative procedures. Gruhn stated that she was contacted by a resident interested in serving on this board as an alternate member.

***Motion (Hansen, McMahon) to adopt Resolution No. 2017-08 as presented, MC.***

## **Annual 2017-2018 full service maintenance agreement submitted by Pro-Copy, Inc. for the Town's copier machine**

McKinney stated that the annual cost of this agreement would increase to \$495.00, an increase of \$45.00 over the 2016-2017 agreement.

***Motion (Gruhn, McMahon) to approve the annual 2017-2018 full service maintenance agreement submitted by Pro-Copy, Inc. in the amount of \$495.00 for the Town's copier machine, MC.***

## **Estimate provided by RentManager for mobile home parking fee management software**

McKinney stated that this software could be used for tracking charges and payments for mobile home parking fees, water and sewer charges, and past due personal property taxes. He noted that the estimate provided for this software included a start-up charge of \$845.00 and \$75.00 per month thereafter. He added that the monthly cost of this software is roughly equal to the monthly cost for the time spent reconciling the Town's current mobile home parking fee payment system. He stated that there were sufficient funds in the budget to fund this purchase.

***Motion (McMahon, Gruhn) to accept the estimate provided by RentManager in the initial amount of \$845.00 and \$75.00 per month thereafter for mobile home parking fee management software, MC.***

## **Proposals for conducting speed and engineering studies on 65<sup>th</sup> Drive**

The Town Board discussed the following estimates provided for conducting speed and engineering studies on 65<sup>th</sup> Drive:

- Traffic Analysis & Design, Inc. - \$2,817.00
- Traffic Engineering Services, Inc. - \$1,500.00

***Motion (Hansen, Gruhn) to accept the estimate provided by Traffic Engineering Services, Inc. in the amount of \$1,500.00 for conducting speed and engineering studies on 65<sup>th</sup> Drive, MC.***

## **Quote from Fahrner Asphalt Sealers for pea graveling or slurry sealing work on Town roads**

McMahon discussed several quotes totaling \$123,560.00 that were provided by Fahrner Asphalt Sealers for Town road sealing work, including the following:

- Crystal Lane - Slurry seal - \$17,800.00
- 63<sup>rd</sup> Drive from Plank Road (CTH A) north to Old Yorkville Road - Pea gravel - \$26,060.00
- 57<sup>th</sup> Drive from County Line Road (CTH KR) north to Durand Avenue (STH 11) - Pea gravel - \$31,200.00
- Old Yorkville Road from Washington Avenue (STH 20) west to Washington Avenue (STH 20) - Slurry seal - \$48,500.00

***Motion (McMahon, Hansen) to accept the following quotes provided by Fahrner Asphalt Sealers for 2017 road sealing work, totaling \$43,860.00: Crystal Lane - Slurry seal - \$17,800.00; 63<sup>rd</sup> Drive from Plank Road (CTH A) north to Old Yorkville Road - Pea gravel - \$26,060.00, MC.***

## **North Colony Avenue road shouldering**

McMahon stated that there are several areas along the east side of North Colony Avenue between Washington Avenue (STH 20) and Two Mile Road where the gravel shoulder has severely eroded away and there is a large drop from the road surface to the shoulder. He recommended that the Town contact the Racine County Public Works Department to have them repair the shoulders where necessary.

***Motion (McMahon, Hansen) to request that the Clerk-Treasurer contact the Racine County Public Works Department to request that they perform spot repairs where necessary to the gravel shoulder with packed traffic bond on the east side of North Colony Avenue between Washington Avenue (STH 20) and Two Mile Road, MC.***

## **Scheduling additional Town ditch grass cutting**

McMahon stated that he has received several complaints regarding the growth of vegetation on the shoulder along several Town roads. The Town Board chose to not pursue any additional grass cutting in the Town's ditches this year due to the remaining available funds in the highway budget.

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

## **2018 road and bridge construction and/or maintenance projects**

The Town Board discussed future road and bridge projects and requested that McKinney contact the Town's engineer to ask for a more detailed cost estimate for the following projects:

- Reconstruction of 59<sup>th</sup> Drive from Durand Avenue (STH 11) north to 58<sup>th</sup> Road
- Reconstruction of the remaining unfinished portion of 61<sup>st</sup> Drive, including safety enhancements to the large culvert under the road
- Reconstruction of 65<sup>th</sup> Court

Hansen recommended that the Town plan to complete the unfinished portions of 53<sup>rd</sup> Drive and 58<sup>th</sup> Road in the next few years.

***Motion (McMahon, Gruhn) to request that the Clerk-Treasurer contact the Town's engineer for cost estimates for the following projects for 2018:***

- ***Reconstruction of 59<sup>th</sup> Drive from Durand Avenue (STH 11) north to 58<sup>th</sup> Road;***
- ***Reconstruction of the remaining unfinished portion of 61<sup>st</sup> Drive, including safety enhancements to the large culvert under the road;***
- ***Reconstruction of 65<sup>th</sup> Court, MC.***

## **Private driveway repair policy**

McKinney asked whether the Town Board had any desire to institute a policy governing when the Town would repair damage to a private driveway in the Town's right-of-way. He stated that this agenda item is a follow-up to the Town's repair of a field access driveway that was partially washed out by heavy rains in July. He noted that the Wisconsin Towns Association suggested that the Town only repair such damages in instances where the Town's actions or negligence directly led to the damage. The Town Board opted against adopting any formal private driveway repair policy, opting instead to review each situation on case-by-case basis. The Town Board requested that McKinney send a letter to the property owner of the field access driveway that was repaired making them aware that such damages would not be repaired again in the future.

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

## **Setting dates for the Town's 2018 budget workshops**

***Motion (Hansen, McMahon) to schedule the Town's first 2018 budget workshop on Thursday, September 28, 2017, at 9:00 a.m., MC.***

**Setting hours of the Town's 2017 trick-or-treat on Tuesday, October 31, 2017, from 5:30 p.m. to 7:30 p.m.**

***Motion (Hansen, Gruhn) to set the hours for the Town of Yorkville's 2017 trick-or-treat on Tuesday, October 31, 2017, from 5:30 p.m. to 7:30 p.m., MC.***

## Reports

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

- That he is preparing to send letters to residents regarding code violations on their properties. The Town Board requested that he contact those property owners in person regarding these violations prior to taking any enforcement action.
- That he conducted a site visit to view the existing wood fence between property owners in the Deer Haven subdivision and the owner of the property to the north located at 14403 50<sup>th</sup> Road. He noted that this fence is in poor condition and added that the property owners in the Deer Haven subdivision would be contacted regarding the condition of this fence.

**Engineer's Report:** The Engineer was not present to provide his report to the Town Board. The Town Board requested that McKinney follow up on an email he received regarding the Town engineer's review of a previously-approved certified survey map request.

**Yorkville Stormwater Utility District Report:** The Yorkville Stormwater Utility District Commission Chair was not present to provide his report to the Town Board.

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

- That he was made aware of the recent sale of a vacant parcel located between 14015 Washington Avenue (STH 20) and 904 South Sylvania Avenue, and plans to construct a banquet facility on that parcel
- That he was contacted by a developer on behalf of the owner of the property located at 3323 South Sylvania Avenue regarding plans to develop that property
- That he received an updated report from the Seno K/RLT Conservancy stating that some of the actions required for 2016 in the Woodland Waters subdivision conservation easement stewardship plan have yet to be completed
- That a referendum has been approved by the Union Grove Union High School District for Tuesday, November 7, 2017

## Other – Comments, questions and suggestions

Hansen noted that there is a partially washed out culvert near the East Branch of the Root River Canal along Rosendale Drive. He recommended that the Town consider placing stone rip rap along this culvert to prevent any further erosion. He also provided an update to the Town Board related to potential development affecting the Town. McMahon requested that McKinney contact Nathan Skewes regarding his Plan Commission membership, adding that Skewes has been absent from meetings over the past several months.

## Adjournment

**Motion (Gruhn, McMahon) to adjourn, MC.** The meeting was adjourned at 7:58 p.m. The next scheduled Town Board meeting is Monday, September 11, 2017, at 6:00 p.m.

Michael McKinney  
Clerk-Treasurer