

## MINUTES

VILLAGE OF YORKVILLE  
JOINT VILLAGE BOARD/PLAN COMMISSION  
VILLAGE BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
MONDAY, APRIL 9, 2018

### Call to Order

Village Board President Peter Hansen called the meeting to order at 6:00 p.m.

### Roll Call

The following Village Board members were present: Peter Hansen, Sherry Gruhn and Terrence McMahon. The following Plan Commission members were present: Peter Hansen, Sherry Gruhn, Gary Fink, Robbie Funk and Dan Maurice. Douglas Nelson and Barbara Geschke were absent. Also present were Darren Fortney and Randy Sanford representing Short Elliott Hendrickson, Arthur Harrington representing Godfrey & Kahn, Yorkville Sewer and Water Utility District Manager Gary Hanson, Timothy Zignego representing Zignego Ready Mix, Rosalie Laketa and Rita Zadurski representing Country Rose Bakery and Café, Jay Knetter representing JAK Architects, Christopher Bower representing Redstone Development Group, Shawn Mayer, Brian Depies representing Short Elliott Hendrickson, Andrew Baer representing Storage Authority, Caroline Bergs, Jim Fox, Dan Minton, Steve Scheurman, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Engineer Mark Madsen, Attorney Tim Pruitt, Clerk-Treasurer Michael McKinney and approximately five unidentified attendees.

### Approval of Financial Reports

*Motion (McMahon, Gruhn) to approve the March Village and Stormwater financial reports as presented, Motion Carried (MC).*

### Approval of Village Invoices

*Motion (Gruhn, McMahon) to approve payment of Village invoices as presented in the amount of \$75,943.92, MC.*

### Approval of Stormwater Invoices

Hansen noted that no Stormwater invoices were presented for payment.

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

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

**Update on Yorkville water/sewer utility improvements to support limited expansion from special counsel and Short Elliott Hendrickson representative**

Arthur Harrington, Gary Hanson and Randy Sanford each provided information to the Village Board regarding the Village's attempts to improve and expand Yorkville's water and sewer

utility districts. Discussion focused on past negotiations with Racine and Mount Pleasant regarding the Town's attempt to connect to their water and sewer utility infrastructure as well as the attempt to maintain and expand Yorkville's water and sewer utilities as a standalone system.

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

**Continued authorization for special counsel to assist Village in issues related to such Yorkville water/sewer utility improvements, and continued authorization for Village to accept funding from Racine County through Racine County Economic Development Corporation for costs related to such water/sewer utility improvements**

Pruitt stated that the Town did express willingness at the time to enter into a memorandum of understanding with Racine County regarding the reimbursement of these expenses, but added that Racine County only would seek reimbursement if development did come to Yorkville.

***Motion (Hansen, Gruhn) to continue authorization for special counsel and Short Elliott Hendrickson (SEH) to assist the Village of Yorkville in issues related to Yorkville water/sewer utility improvements, MC.***

***Motion (Hansen, McMahon) to continue authorization for the Village of Yorkville to accept funding from Racine County through Racine County Economic Development Corporation for costs related to Yorkville water/sewer utility improvements, MC.***

**Holding tank agreement and holding tank servicing contract submitted by M&M Investments of Union Grove, LLC (with William Martin as applicant/agent) for the property located at 19215 Spring Street (CTH C) (Parcel ID # 018-03-21-20-020-000) in the B-3 (Commercial Service) Zoning District**

McKinney stated that the applicant plans to replace the existing 6,000-gallon holding tank with two 3,000-gallon holding tanks in the same location.

***Motion (Gruhn, McMahon) to approve the holding tank agreement and holding tank servicing contract submitted by M&M Investments of Union Grove, LLC (with William Martin as applicant/agent) for the property located at 19215 Spring Street (CTH C) (Parcel ID # 018-03-21-20-020-000) in the B-3 (Commercial Service) Zoning District, with no conditions, MC.***

**Class B weight restriction exemption request submitted by Zignego Ready Mix, Inc.**

Timothy Zignego appeared before the Village Board to discuss this request. He stated that, due to the South Sylvania Avenue reconstruction project, Zignego vehicles can no longer access Durand Avenue (STH 11) on non-Class B weight limit roadways. He added that he is requesting an exemption to use 56<sup>th</sup> Road between 58<sup>th</sup> Road and Durand Avenue (STH 11) as an alternate route until June 1, which is when this portion of the project is planned to be completed. Madsen stated that he recorded the condition of the roadway in late March. Pruitt stated that the Village Board could require a cash deposit or letter of credit as a condition of approval of this request. The Village Board instead discussed contacting the Wisconsin

Department of Transportation to request reimbursement for repairs to the damage to 56<sup>th</sup> Road that would result from granting this exemption.

***Motion (Hansen, McMahon) to grant, pursuant to Section 50-91(c) of the Village of Yorkville Code of Ordinances, Zignego Ready Mix, Inc., including all Zignego vehicles and Zignego's sub-contractors and suppliers, an exemption to the Village of Yorkville's Class B weight limit on 56<sup>th</sup> Road between 58<sup>th</sup> Road and Durand Avenue (STH 11) until April 10, 2019, with no conditions, MC.***

### **Country Rose Bakery and Café temporary business signage/detour request**

Rosalie Laketa appeared before the Village Board to discuss her request to allow for temporary business signage on Church Road and Raynor Avenue that detours customer traffic around the North Colony Avenue (USH 45) reconstruction project to her business on Washington Avenue (STH 20).

***Motion (Gruhn, McMahon) to approve the temporary business signage and detour request submitted by Country Rose Bakery and Café for Church Road and Raynor Avenue, MC.***

**Site plan application submitted by WIMCO, Inc./Poclain Hydraulics (with JAK Architects/Jay Knetter as applicant/agent) for the parcel located at 1300 Grandview Parkway (Parcel ID # 018-03-21-13-029-060) in the M-3 (Heavy Industrial) Zoning District to permit construction of a 62,680-square foot addition to an existing industrial building at this address and expansion of the existing parking lot to a total of 194 parking spaces**

Jay Knetter appeared before the Village Board and Plan Commission to discuss this application. He stated that the parking lot footprint of the expanded facility would remain essentially unchanged from that of the existing facility. Madsen stated that the regional stormwater pond serving this property should be sufficient to handle any additional runoff from this expansion. He added that the applicant would need to complete a wetland delineation on the property before proceeding with this project.

***Motion (Fink, Maurice) to recommend approval of the site plan application submitted by WIMCO, Inc./Poclain Hydraulics (with JAK Architects/Jay Knetter as applicant/agent) for the parcel located at 1300 Grandview Parkway (Parcel ID # 018-03-21-13-029-060) in the M-3 (Heavy Industrial) Zoning District to permit construction of a 62,680-square foot addition to an existing industrial building at this address and expansion of the existing parking lot to a total of 194 parking spaces, with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the site plan application submitted by WIMCO, Inc./Poclain Hydraulics (with JAK Architects/Jay Knetter as applicant/agent) for the parcel located at 1300 Grandview Parkway (Parcel ID # 018-03-21-13-029-060) in the M-3 (Heavy Industrial) Zoning District to permit construction of a 62,680-square foot addition to an existing industrial building at this address and expansion of the existing parking lot to a total of 194 parking spaces, with no conditions, MC.***

**Plan review request submitted by Redstone Development Group, LLC (with Christopher Bower as applicant/agent) for the parcel located at 1818 South Colony Avenue (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) and A-2 (General Farming and Residential II) Zoning Districts to permit construction of a 54-foot by 200-foot (10,800-square foot) commercial building, installation of an asphalt driveway and parking area, and improvement of stormwater drainage on the property**

Christopher Bower appeared before the Village Board and Plan Commission to discuss this request. He stated that a wetland delineation has been completed for the property, adding that he is currently working with Madsen to complete a stormwater plan. Madsen stated that several issues need to be addressed on the stormwater plan provided to him, such as the comparisons provided between existing and proposed runoff, that a full buildout should be used to determine whether the stormwater facilities will be sufficient for this development and that water quality must also be addressed in this proposal. Hansen stated that Bower should work with Madsen to ensure that the stormwater plan addresses runoff from the south.

***Motion (McMahon, Gruhn) to table this request until the May 14, 2018 joint Village Board/Plan Commission meeting, MC.***

**Certified survey map application submitted by the Lawrence E. Dempksi Living Trust (with Shawn Mayer as applicant/agent) for the parcel located at 17808 58<sup>th</sup> Road (Parcel ID # 018-03-21-21-021-300) in the A-2 (General Farming and Residential II) Zoning District to permit division of this 49.83-acre parcel into a 34.337-acre parcel and a 15.493-acre remnant parcel**

Madsen stated that he had no issues with the certified survey map as submitted. Pruitt stated that the Village Board and Plan Commission could require a recorded deed restriction prohibiting any further division of the remnant parcel as a condition of approval.

***Motion (Funk, Fink) to recommend approval of the certified survey map application submitted by the Lawrence E. Dempksi Living Trust (with Shawn Mayer as applicant/agent) for the parcel located at 17808 58<sup>th</sup> Road (Parcel ID # 018-03-21-21-021-300) in the A-2 (General Farming and Residential II) Zoning District to permit division of this 49.83-acre parcel into a 34.337-acre parcel and a 15.493-acre remnant parcel, with the following conditions:***

- ***That a deed restriction be filed with the Racine County Register of Deeds that prohibits any further division of the 15.493-acre remnant parcel;***

***and to recommend that waivers be granted for the following sections of the Village of Yorkville Code of Ordinances:***

- ***Section 28-9, which does not allow for the division of a parcel where the act of division creates four or more parcels by successive divisions within a period of seven years;***
- ***Section 28-84(b)(1), which requires that lots be approximately rectangular in shape, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the certified survey map application submitted by the Lawrence E. Dempksi***

***Living Trust (with Shawn Mayer as applicant/agent) for the parcel located at 17808 58<sup>th</sup> Road (Parcel ID # 018-03-21-21-021-300) in the A-2 (General Farming and Residential II) Zoning District to permit division of this 49.83-acre parcel into a 34.337-acre parcel and a 15.493-acre remnant parcel, with no additional conditions or waivers beyond those recommended by the Plan Commission, MC.***

**Pre-application conference with Storage Authority representatives regarding proposed expansion and development of the parcel located at 19031 Spring Street (CTH C) (Parcel ID # 018-03-21-20-020-001)**

Brian Depies appeared before the Village Board and Plan Commission to discuss this proposal. He stated that his client wishes to purchase a 9.4-acre portion of the property located at 18917 Spring Street (CTH C), merge that area with the parcel located at 19031 Spring Street (CTH C) and expand the existing storage facility operation located at 19031 Spring Street (CTH C) onto that new addition. He noted that a stormwater basin would be established at the northeast corner of the 18917 Spring Street (CTH C) parcel, which would accommodate any runoff from this expansion. He stated that no wetlands would be impacted by this expansion. He noted that the zoning of this parcel needs to be changed to the B-3 (Commercial Service) Zoning District, which would also require a land use plan amendment.

Depies stated that the new addition would have an access easement going to Spring Street (CTH C) that would allow for emergency vehicle access. McMahon requested that the Union Grove-Yorkville Fire Department review this proposal to ensure that emergency vehicles will be able to navigate within this expansion. Depies stated that the spacing between buildings would be 30 feet, with spacing in areas allowing for emergency vehicle access to be 60 feet. He also outlined development plans for the remainder of the property, which would remain under the control of the current property owner. Andrew Baer stated that he typically surfaces the driving surfaces of his facilities with 3-4 inches of recycled asphalt and 8-12 inches of recycled concrete. The Village Board and Plan Commission did not have any objections to this proposal based upon this discussion.

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

**Special event permit application submitted by Edna Lowe on behalf of the Half Point Historical Re-Enactment for the Half Point Historical Re-Enactment, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), continuously from 9:00 a.m. on Thursday, October 11, 2018, through dusk on Sunday, October 14, 2018**

***Motion (Gruhn, McMahon) to grant a Special Event Permit to Edna Lowe on behalf of the Half Point Historical Re-Enactment for the Half Point Historical Re-Enactment, to be held at the Racine County Fairgrounds, 19805 Durand Avenue (STH 11), continuously from 9:00 a.m. on Thursday, October 11, 2018, through dusk on Sunday, October 14, 2018, with no conditions, MC.***

## **Reports**

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

***Motion (McMahon, Gruhn) to approve and file the Building Inspector's report as***

***presented, MC.***

**Engineer's Report:** Madsen stated that he is currently working on a legal description for the Village's boundaries for filing with the Wisconsin Department of Administration.

**Yorkville Stormwater Utility District Report:** Stephen Nelson noted that he had no information to report to the Village Board.

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

- That he plans to file the Village's official incorporation application with the Wisconsin Department of Administration on Friday
- That three clean sweep events are scheduled in the next month:
  - April 21 for tires and electronics at the Village's collection site
  - April 28 for electronics, medication, appliances and household hazardous waste at Burlington's public works facility
  - May 5 for electronics at Union Grove's wastewater treatment plant
- That he was made aware of a request for a wetland delineation that was filed with the Racine County Development Services Department for a recently-sold parcel on Spring Street (CTH C)
- That the 2017 audit report will be presented at the April 23 Village Board meeting
- That the Town's annual elector meeting will no longer be held due to the passage of last week's incorporation referendum
- That no paperwork has been filed for a final plat for the seven parcels at the southeast corner of the North Colony Avenue (USH 45) and Washington Avenue (STH 20) roundabout
- That a request was received from the Wisconsin Department of Transportation for installation of a drain tile on the west side of North Colony Avenue (USH 45) between Plank Road (CTH A) and Savage Road. The Village Board did not have any objections to this request.
- That a certified survey map, rezoning and land use plan amendment request for the 9.87-acre parcel located at 15941 Durand Avenue (STH 11) will likely appear on the June 11 joint Village Board/Plan Commission agenda
- That the following requests have been filed with the Racine County Development Services Department:
  - 14003 Leetsbir Road site plan request
  - 2638 North Sylvania Avenue conditional use request

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

No comments, questions or suggestions were provided.

#### **Adjournment**

***Motion (Gruhn, McMahon) to adjourn, MC.*** The meeting was adjourned at 8:22 p.m. The next scheduled Village Board meeting is Monday, April 23, 2018, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*