

VILLAGE OF CHNEQUA
MEETING OF THE BOARD OF TRUSTEES
APRIL 28, 2003

The meeting was called to order at 7:30 p.m. Present were Village President Styza, William Biersach, Jo Ann Villavicencio, Barbara Zaiser, Scott Harkness, James Wrocklage. Also present were Village Attorney Krutz, Chief/Administrator Douglas, Clerk/Treasurer Igl, and residents and representatives interested in the Holbrook land division application.

Don Vilione of Virchow Krause & Company presented an executive summary of the 2002 Financial Statements and graphs representing the Village's financial position. Mr. Vilione stated that the Village's fund equity is more than adequate. It was stated that preparation for compliance with GASB 34 will begin in 2003.

Village President Styza asked that representatives regarding the Holbrook land division make a brief presentation. Attorney Dean Richards, representing Mr. Holbrook, stated that the Plan Commission had made a motion to recommend denial of the land division based on the following three issues and that he would restrict his comments to addressing those three issues. First, Attorney Richards stated that the Plan Commission asserted that there was a lack of clarity regarding the Private Road Agreement by which access was to be provided for the proposed lot 3. Attorney Richards stated according to State law the Private Road Agreement would allow access to all of the Holbrook property, and that the proposed land division did not increase the area served by the easement. Attorney Richards further stated that the Private Road Agreement refers to "future dwellings" and provides a method of dividing costs related to the road maintenance. Therefore, the Private Road Agreement accounted for additional users. Attorney Richards also stated that the Village's Attorney had given an opinion that the Private Road Agreement does provide access to the proposed lots.

Second, Attorney Richards stated that the Plan Commission focused on the hypothetical road which had been shown on the CSM. Attorney Richards stated that Holbrook had provided the hypothetical road only as a courtesy, not as a part of the application for the land division. He stated that the current request was for a land division only and that the roadway would be considered in the future.

Third, Attorney Richards stated that the Plan Commission believed there to be discrepancies in the technical specifications on the CSM regarding the high water mark. He stated that representatives from the engineering firm of Welch Hanson had re-checked the CSM and found it to be correct. It was stated that the Village Administrator, Village Attorney and Building Inspector had agreed that the CSM was correct. Additionally, there were four conditions discussed at the Plan Commission meeting that were agreed to if the land division were approved.

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Attorney Troy Mayne, representing the Eschweiler family, stated that the Plan Commission recommendation denying the land division should be followed because the Plan Commission had made its decision after hearing all objections and positions of both sides. He stated that the Eschweillers' objections included 1) the uniqueness of the lot at issue, 2) the desire of long term owners of the adjacent properties to maintain the character of the Village, and 3) the fact that the drive needed to access proposed lot 3 would not meet the Village standards. Attorney Mayne stated that the Plan Commission had questioned whether they would approve the hypothetical drive at any point in the future. Attorney Mayne requested that the Village Board deny the proposed land division for the same reasons as the Plan Commission did.

Mike Campbell of Ruekert & Mielke, on behalf of the Eschweillers, stated that he felt that the hypothetical roadway would be objectionable based on the following: 1) safety, 2) constructability, 3) aesthetics and 4) ability to meet Village Code. He referred to the previous reports he had filed.

Chief/Administrator Douglas stated that the application for the land division meets all requirements in the Village Code and that no request for any structure or drive had been made. He stated that the Village staff had requested that an easement be shown on the CSM. Village Attorney Krutz stated that all portions of the lot divided as proposed comply with the Village Code and that all existing structures meet the Village Code requirements.

Village President Styza asked whether a deed restriction could be shown on the title. Attorney Krutz stated that a deed restriction would be recorded on the title and that the restrictions would be shown on the face of the CSM. Trustee Harkness stated that the Plan Commission had made a motion to recommend denial of the application of the land division. Trustee Biersach stated that the Plan Commission was concerned with the application for the land division because it was agreed that there would be difficulties in the future approving a roadway to access the proposed lot 3.

MOTION made by Biersach, seconded by Harkness to deny the application for the Holbrook land division based on 1) lack of clarification as to the easement for lot 3; (2) the obvious difficulties the Village would face in the future with a roadway approval and construction based on technical and aesthetic concerns which may lead to a depreciation of property values to adjacent properties; and (3) deficiencies in the CSM as submitted. Vote taken, four in favor, two opposed to the motion. Motion carried.

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Scott Beckerman of the US Dept. of Agriculture Fish and Wildlife Management made a presentation regarding goose control. He stated that there are two types of geese, the resident Canada geese and the migratory geese. He stated that if the Village chooses to manage the geese population, that it requires a long term commitment and that the Village may need to determine how many geese are tolerated. He stated that the Village could apply for a matching grant from the Department of Natural Resources. Some management options include 1) implementing a no feeding policy in the Village; 2) repellants used on grass, 3) shoreline deterrents. To attempt to manage populations, the following options could be considered; 1) hunting, 2) treatment of eggs to prevent population growth, 3) round up and relocate juvenile geese and 4) round up geese in conjunction with a food pantry program. The fee for a round up program is \$2,600 and an additional \$7.00 per bird if process for a food pantry program. Before a food pantry program could be used; extensive testing for health issues would need to be conducted on a minimum of seven geese at a cost of up to \$500 per bird. He stated that it would take approximately one year to begin a round up and food pantry program. Egg oiling, however, could be stated within the week at a cost of \$750, after waivers were secured from appropriate property owners. MOTION made by Harkness, seconded by Biersach to contract with the US Dept. of Agriculture Fish and Wildlife Management to oil eggs in an effort to control goose population at a cost of \$750. Motion carried.

MOTION made by Harkness, seconded by Wrocklage to approve the minutes of the March 10, 2003 meeting as presented. Motion carried.

MOTION made by Zaiser, seconded by Biersach to approve the payment of invoices as presented. Motion carried.

Clerk/Treasurer Igl presented the March 31, 2002 investment activity.

Election results from the Spring Election were reported by Clerk/Treasurer Igl.

The Public Safety Committee and Operations Committee had not met.

The Plan Commission had met to review the Holbrook land division. Trustee Harkness stated that he had contacted all Plan Commission members and all are willing to continue to serve on the Plan Commission for another term.

The Personnel Committee had met to discuss negotiations.

Chief/Administrator Douglas reported that 61 deer had been removed during this season which was an increase over the previous two years. An aerial survey had been conducted to determine the deer herd population and this information will be used in the next sharpshooting season.

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Chief/Administrator Douglas reported that work continues on the Village Hall to repair water damage and mold contamination. Additionally, it was reported that a judge had ruled in favor of the Village on the Quadracci case.

Chief/Administrator Douglas presented information regarding purchasing of software needed as a part of the county dispatch program. He stated that there is significant cost savings if purchased prior to July 31. He stated that the basics of the program would cost \$27,110. It was requested that 25% of this purchase price be paid in 2003. MOTION made by Harkness, seconded by Villavicencio to agree to the purchase as presented and to pay 25% down. Motion carried.

An Arbor Day Proclamation was presented. MOTION made by Harkness, seconded by Villavicencio to approve the Arbor Day Proclamation as presented. Motion carried.

Chief/Administrator Douglas stated that area Fire Chiefs will be meeting with Mr. Moertl regarding his Boatgas Marine Refueling proposal. This item is to be placed on the May agenda for further review.

MOTION made by Zaiser, seconded by Villavicencio to adjourn to executive session at 8:50 p.m. pursuant to WI State Statutes 19.85(1)(e) to discuss salary/benefits negotiations and job descriptions. Roll call vote taken; Harkness – aye, Styza – aye, Villavicencio – aye, Zaiser – aye, Biersach – aye, Wrocklage – aye.

MOTION to reconvene in open session at 8:56 p.m. made by Harkness, seconded by Styza.

MOTION made by Wrocklage, seconded by Villavicencio to approve the CPPOA contract amendment and salary changes for employees based on the recommendation of the Personnel Committee. Motion carried.

MOTION to adjourn made by Harkness, seconded by Zaiser at 8:57 p.m.

Respectfully submitted,

Darlene Igl
Clerk/Treasurer