

Draft

VILLAGE OF CHENEQUA
MEETING OF THE BOARD OF TRUSTEES
August 9, 2004

The meeting was called to order at 7:30 p.m. Present were Village President Styza, Jo Ann Villavicencio, Kathy Seidel, Barbara Zaiser, James Wrocklage, Scott Harkness, William Biersach. Also present were Chief/Administrator Douglas, Village Attorney Krutz, Clerk/Treasurer Igl, and a group of interested citizens.

Resident James Youker commented during the public comment period regarding legal action taken against the Village. He stated that he intends to proceed with the suit and believes that the Board of Appeals' decision was in error. He requested that the Village Board back the Plan Commission decision made in the Boucher application.

Resident Dwyn Von Bereghy commented that the Village Code needs to be amended so that the Plan Commission has the ability to address issues with applicants. Resident Sally Youker stated that she believed that the Plan Commission had followed the ordinances in the Boucher application but that the Board of Appeals was in error.

Village President Styza suggested that the Board move to item #7 on the agenda. Attorney Krutz referred to a letter from Attorney Richard dated August 5, 2004 which addressed timing issues for an appeal of the Board of Appeals decision. Attorney Krutz gave a brief update of the status of the litigation. He stated that if the Village Board were going to act on behalf of the Plan Commission that action would need to take place within 30 days of the decision of the Board of Appeals.

Village President Styza stated that the purpose of the Board of Zoning Appeals is to review Plan Commission decisions and that the Board of Trustees should support that process. Trustee Zaiser stated that she felt that the Board of Appeals' members did not understand what they were voting on. Trustee Biersach noted that the Plan Commission was split on whether it wanted to move forward with an appeal. Trustee Harkness stated that he felt that the vote of the Plan Commission reflected the fact that certain members of the Plan Commission voted against the Boucher Application but also against the motion asking the Board of Trustees to back the Plan Commission action in Court because those members supported the process set up by the Village. Trustee Seidel stated she was concerned that the Plan Commission itself could not decide what it wanted to do with respect to the litigation. MOTION made by Harkness, seconded by Biersach to support the position of the Board of Zoning Appeals in the litigation. After discussion, vote taken – Trustee Zaiser – opposed, all others in favor. Motion carried.

MOTION made by Villavicencio, seconded by Harkness to approve the minutes of the July 12, 2004 meeting as presented. Motion carried.

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

The Village investments and deposits for July 31, 2004 were reviewed.

A Public Safety Committee meeting is scheduled for August 25. Chief/Administrator Douglas invited the Village Board to attend.

Trustee Harkness stated that he had received the resignations of Gary Zaiser and Holly Warner from the Plan Commission.

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Chief/Administrator Douglas stated that the Personnel Committee had met and President Styza stated that he appointed Rick Luedke as Chairman.

The Ad Hoc Committee had met and will be meeting to hear more proposals on August 12.

Chief/Administrator Douglas reported that the Emergency Response Plan will be presented at the Public Safety meeting on August 25. He further stated that LACS will officially close on August 17. He also reported that he had been contacted regarding a cell tower lease buyout proposal for future review.

Trustee Seidel raised concerns regarding the proposed development at Hwy 16 and Hwy 83. She stated that a SEWRPC report indicated that the drainage from the area of the development will drain into the Village and she expressed concerns regarding how this will affect groundwater in the Village as well as runoff into the lakes. A proposed settlement agreement was discussed, however, it was unclear as to whether the agreement had been signed.

President Styza stated that once the developer's agreement is signed, that the Village can review the proposal and monitor issues such as water management and lighting. It was requested that the Administrator notify the City of Delafield of the Village's interest in this development and that the Village be added to the mailing list for add notices, etc. regarding this development. It was requested that this letter be signed by the Village President. Attorney Krutz stated that he could prepare a list of options for the Village Board to consider with respect to experts or information to support the Village's position. President Styza requested staff to seek a proposal for a water management study.

Bids to survey and perform testing on Village property located at Hwy K and Wildwood Point Road were presented. MOTION made by Harkness, seconded by Wrocklage to authorize the Administrator and Village President to contract with Welch Hanson for the survey and to contract with either of the firms for environmental testing. Motion carried.

Clerk/Treasurer Igl presented the June 30, 2004 financial statements and a financial analysis of those items that may over/under budget.

MOTION made by Villavicencio, seconded by Seidel to hold a public hearing regarding changes to Section 5.21 of the Village Code on September 13 at 7:30 p.m.

MOTION made by Styza, seconded by Harkness to adjourn at 8:28 p.m.

Respectfully submitted,

Darlene Igl
Clerk./Treasurer