

# Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, FEBRUARY 13, 2006  
Unofficial until approved by the Village Board  
Approved as written ( ) or with corrections ( ) on \_\_\_\_\_

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:40 p.m. on Monday, February 13, 2006, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met. The following were in attendance:

Mr. Styza / President – present  
Ms. Seidel / Trustee – present  
Mr. Foote / Trustee – present  
Ms. Villavicencio / Trustee – present  
Mr. Gehl / Trustee – absent  
Mr. Harkness / Trustee – absent  
Dr. Tyre / Trustee – absent  
Mr. Krutz / Village Attorney – present  
Mr. Douglas / Administrator -Police Chief – present  
Ms. Zimdars / Clerk-Treasurer – present

## **Attendance**

Kelly Smith – Lake Country Reporter  
Karen Warobick  
Tom Koepp – Ruekert/Mielke  
Jeff Kante – Village of Chenequa Forester  
Bob Nauta - RSV Engineering  
Tom Rolfs

## **Public comment period**

None.

## **Approve Minutes of the January 9, 2006 Board Meeting**

Motion (Seidel/Foote) to accept the minutes of the January 9, 2006 Board Meeting. *Carried Unanimously.*

## **Clerk/Treasurer – Present Invoices for approval; report on investment activity.**

Trustee Seidel asked what treated sand was. Administrator Douglas explained it is a sand/salt mixture used on roads and driveways. Motion (Villavicencio/Foote) to approve payments as presented, *Carried Unanimously.* Investment activity was reviewed by the Board, and no action was required.

## **Consider Resolution of Appreciation for Trustee William Biersach.**

Motion (Foote/Seidel) to approve the resolution of appreciation for William Biersach, *Carried Unanimously.*

### **Committee Reports**

*Public Safety* – No report

*Operations* – No report

*Plan Commission* – No report

*Open Space* – No report

*Board of Appeals* – No report

*Personnel Committee* – No report

*Hwy 83 Task Force* – No report

*Emergency Government Committee* – No report

*Internet Ad Hoc Committee* – Administrator Douglas informed the Board that Netwurx would be putting their equipment on our tower starting Tuesday, and should be up and running by Tuesday or Wednesday of next week. Trustee Foote asked that the existing system be left as is until we are sure the new system will be able to provide the services needed by the Village.

*Building Zoning Ad Hoc Committee* – Meeting scheduled for February 15<sup>th</sup>

### **Report of Village Administrator**

Village Administrator Douglas reported that a total of 32 deer had been taken so far this year.

### **Report of Village President**

None.

### **Report of the Village Attorney**

None.

### **Review and consider Certified Survey Map submitted by Randy and Karen Warobick for Lot 4, Block 1, and Lot 4, Block 2 of Silver Spring Park located in the Town of Merton per Village Code 6.18 extraterritorial jurisdiction.**

President Styza reported that the Plan Commission met earlier and recommended approval. Mrs. Warobick was questioned for clarification. She pointed out that the Town of Merton had already given approval. Motion (Foote/Villavicencio) to approve the certified survey map submitted by Randy and Karen Warobick, *Carried Unanimously*.

### **Review and consider Certified Survey Map submitted by Gerald and Judith Heine for Lots 2 and 3 and a part of lot 4 Wein's Subdivision located in the Town of Merton per Village Code 6.18 extraterritorial jurisdiction.**

Administrator Douglas gave an overview of the requested consolidation of the three lots by Gerald and Judith Heine, telling the Board the Town of Merton had already approved the request. Motion (Foote/Villavicencio) to approve the certified survey map submitted by Gerald and Judith Heine, *Carried Unanimously*.

**Review and consider submissions by the Building/Zoning Ad-Hoc committee for Village Code revisions to 5.10 Regulation of Unsafe and Blighted Buildings and Premises, 5.20 Swimming Pool Regulations, 6.02 Intent, 6.05 Residence District Regulations and the possibility of creating a conditional use permit process for non-residential uses.**

President Styza explained that the Plan Commission recommends adoption of the Building/Zoning Ad-Hoc Committee submissions. Trustee Seidel first addressed the code changes to section 5.20, swimming pools, saying the committee felt the current code didn't go far enough. She reported the committee was concerned with visual and audio disturbances, and had added a few things, and kept some the same. Trustee Foote questioned the language saying it was ambiguous; "removal of pool water goes to a holding tank, but where does it go from there?" Attorney Krutz stated he would change the language to clarify the code. Motion (Foote/Seidel) to approve submissions by the Building/Zoning Ad-Hoc Committee for changes to code 5.20, Swimming Pools, *Carried Unanimously*.

Next the issue of unsafe and blighted buildings and premises was explained by Kathy Seidel. She noted that the major change was to add Administrator. Trustee Foote asked what would happen if the Building Inspector and the Zoning Administrator didn't agree. Attorney Krutz pointed out that either one has authority, but the normal process is that they reach a consensus. Motion (Foote/Villavicencio) to approve submissions by the Building/Zoning Ad-Hoc Committee for changes to code 5.10, Regulation of Unsafe and Blighted Buildings and Premises, *Carried Unanimously*.

Trustee Seidel then explained the Village currently has no lighting ordinance, and with building and new construction the committee felt we needed to have some guidelines. The issue of light trespass is described in the ordinance; it is also required for all new construction to present a lighting plan. Motion (Foote/Villavicencio) to approve submissions by the Building/Zoning Ad-Hoc Committee for creating code 5.22, Lighting Ordinance, *Carried Unanimously*.

The changes to code 6.02, Intent, were explained next by Trustee Seidel. She explained that her committee looked at the size of the house and its proportion to neighboring properties. Trustee Foote questioned if this would throw anyone into non-compliance. Administrator Douglas pointed out that Boucher would not meet the side yard set back under the new code. Changes were also made in the distance allowed to adjoining property residence for homes over 13,000 square feet. Trustee Seidel said the new rules would apply to construction after approval of zoning code changes, and that the new house must be proportionate with the neighbor's house. Attorney Krutz then pointed out that section 6.05 (sub 5) on page eleven only relates to 13,000 square foot houses or more. He also said the red line items would be the new portions, and that the conditional use requirements reflect pretty accurately with what Inspector Tising now requires. Staff will be required to review conditional use submittals before plan is submitted to the Board. Trustee Foote questioned who can use a pier if eleven acres on the lake were to be purchased. Attorney Krutz said that the DNR

regulates usage of the pier. Trustee Foote asked what would happen if the Country Club were to consolidate properties – “would this open up anymore?” For Country Club or church any members can use the pier, but it is restricted for private residences. As members of the institution they will be able to use the pier. Trustee Foote then recommended this issue be brought to the attention of the Plan Commission. Lot size was reviewed by Attorney Krutz as Trustee Foote didn’t like the formula. He said the scale needed to decrease as the property increases. This formula encourages smaller sites with bigger spaces – exactly opposite of what we want. The formula was then clarified by Tom Rolfs: 1<sup>st</sup> 20 acres get 30%, next 10 acres get 20% coverage, and any after that you get 10%. Motion (Foote/Seidel) to approve submissions by the Building/Zoning Ad-Hoc Committee for changes to code 6.02 and 6.05, Residence District Regulations, *Carried Unanimously*.

**Consider setting a public hearing for Village Code Revisions of sections 5.10, 5.20, 5.22, 6.02, and 6.05.**

President Styza said he was uncomfortable with two members missing from this meeting to set a public hearing. President Styza suggested the date for the public hearing should be April, and that the advantage of having it in April is that there would be more people back. Trustee Villavicencio thought the hearing should be set in April to give missing Board members some time to digest this information. Trustee Seidel wanted the public hearing as soon as possible. Motion (Foote/Seidel) to hold a public hearing the second Monday in March to approve the changes to the code as outlined above, *Carried Unanimously*.

**Consider proposal(s) from Ruekert-Mielke for Pine Lake Boat Launch repairs.**

Village Forester Jeff Kante addressed the Board saying repairs have been done over the years, but we are looking for a more permanent solution to the problems with the boat launch at Pine Lake. He then introduced Tom Koepp of Reukert/Mielke noting he has dealt with many other launches. Mr. Koepp outlined the repairs needed to be made at Pine Lake Boat Launch, and his recommendation was to do the same thing as is currently being done on Moose Lake- that is to lay down concrete planks with the last two being toed in, and all hook and eye connected. He said that this would be a permanent solution. He also outlined alternatives A, B, and C. Trustee Foote then asked Mr. Koepp how much of the problem is due to the low lake level. Mr. Koepp responded by saying the problem is with power launching. President Styza asked about simply putting stones in. Mr. Koepp said that would raise the level and present a situation where people couldn’t get their boats off their trailers. Administrator Douglas stated there is currently \$27,000 in launch revenue reserves. Trustee Foote asked if alternative B would do the job, and Mr. Koepp said it would work for a while, and that he recommends alternative C with D for a permanent solution. It was noted this project would have to be publicly bid. The cost for Alternative C (modified with D) would be approximately \$75,000 and engineering fees would be beyond that number, per Mr. Koepp. The State would possibly give a 60% grant. Administrator Douglas said the bay was defined as a sensitive water area

so to get a permit to dredge it out wouldn't be easy. He also noted that \$27,000 is its own reserve account. Trustee Foote raised concerns that 60% and \$27,000 would only be \$65,000, and questioned if the project could be completed for that amount. Motion (Foote, Villavicencio) to complete repairs using option C with D and capped at \$90,000, Carried Unanimously.

Attorney Krutz asked for the contract to be sent over and a contract would be constructed to include a provision for a certain cost of construction not to be exceeded. He said if Mr. Koepp would put in his letter agreement, he would get it put together very quickly.

**The Board may consider entering into closed session under Wisconsin State Statute 19.84(1)(g) to confer with Village Attorney regarding strategy and options for litigation in which the Village is likely to become involved as they relate to the proposed well at Hwy 83 and Hwy 16. Participating in the closed session will be the Village Board, Village Attorney, Village Consultant, Village Administrator, and the Village Clerk.**

Motion (Foote, Villavicencio) to convene into closed session at 8:45 p.m. by roll call vote: Seidel, Aye; Foote, Aye; Villavicencio, Aye; Styza, Aye. Motion Carried.

**Reconvene into open session.**

Motion (Villavicencio, Foote) to reconvene into open session at 9:28 p.m. by roll call vote: Seidel, Aye; Foote, Aye; Villavicencio, Aye; Styza, Aye. Motion Carried.

The well issue will continue to be pursued.

**Any new business.**

None

**Adjournment**

President Styza adjourned the meeting at 9:29 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

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Bonita Zimdars  
Clerk/Treasurer

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Bryce Styza  
Chenequa Village President