

Village of Chenequa

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

A public hearing to hear comments regarding the proposed 2007 Village of Chenequa budget was called to order at 7:30 p.m. Legal requirement for notification of the news media had been met.

Public Attendance: Matthew Colby, Amy Brouwer.

President Styza asked Administrator/Chief Douglas to give a brief overview of the proposed budget. Administrator/Chief Douglas told board members there was a 2% increase in the levy from 2006, and that the State of Wisconsin mandates either going with growth which was at .772% for the village, or going with the 2% cap. He said that the 2% cap was presented here. He also said the village rate for taxes increased from \$5.31 per thousand for 2005, to \$5.42 per thousand for 2006. He noted that two changes were made to the proposed 2007 budget, saying that the Lake Country Fire Department increased their budget by \$1000 at the joint meeting held recently - voting to increase the Chief's salary by \$1,000; therefore the Village needed to add \$500 to the budget to meet the Village's obligation for that increase (the other \$500 being paid by Nashotah). Administrator/Chief Douglas said that this increase was offset by adding an additional \$500 on the revenue side under the building revenues, stating that he felt comfortable with increasing the building revenues by that amount. He said the total projected revenues were \$1,880,631.94 and that number matches expenditures, including a contingency fund of \$14,723.75. Trustee Foote then asked why the revenues listed on exhibit A (\$1,724,420) did not match the revenues listed on the Schedule of Revenues (\$1,880,631.94). It was explained by Clerk Zimdars that the Accountants had chosen to break down the revenues into three areas:

Total Revenues	\$1,724,420
Debt Service Fund	\$ 120,736
Expenditures-Capital Outlay	\$ 35,475
Total	\$1,880,631

Trustee Foote then suggested that a column giving the 2006 estimate should be included as a third column.

Hearing nothing further from those in attendance, President Styza closed the Public Hearing at 7:38 p.m.

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:30 p.m. on Monday, November 13, 2006, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met. Following is the attendance list:

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

Attendance

Matt Colby – Lake Country Reporter
Amy Brouwer

Public comment period.

None.

Consider resolution for 2007 budget adoption and tax levy.

Motion (Foote, Villavicencio) to approve the Village of Chenequa Resolution for Budget Adoption and Tax Levy, *Carried Unanimously.*

Consider adoption of the 2007 Village of Chenequa budget.

Motion (Villavicencio, Wilkey) to approve the adoption of the 2007 Village of Chenequa budget, *Carried Unanimously.*

Approve minutes of the October 9, 2006, Board Meeting.

Motion (Villavicencio, Wilkey) approve minutes of the October 9, 2006 Board Meeting, *Carried Unanimously.*

Clerk/Treasurer

Present invoices for approval.

Trustee Foote questioned if any of the Village-owned buildings were being heated with fuel oil. Administrator/Chief Douglas told Trustee Foote that all fuel tanks were removed several years ago.

Motion (Villavicencio, Gehl) to approve bills as presented, *Carried Unanimously.*

Report on investment activity.

Investment activity was reviewed by the Board, and no action was required.

Nomination papers for Spring Election.

Clerk Zimdars told Board members the following Board members would have terms expiring in April of 2007: President Bryce P. Styza, Trustee Jo Ann F. Villavicencio, Trustee Timothy Tyre, and Trustee Andrew J. Gehl. She also explained that nomination papers could begin to be circulated on December 1st, and that these forms would be available in the Clerk's office.

Consider adding William Rose to our current Board of Election Inspectors.

Motion (Gehl, Wilkey) to add William Rose to list of current Board of Election Inspectors, *Carried Unanimously.*

Review and Consider proposed ordinance 5.20, Swimming Pool Regulations.

Attorney Krutz presented two versions of the ordinance to board members saying these versions were based on the conversation had at the October Board meeting. He said that Version A defines above ground pools the same as in ground pools, and said that paragraph 2B treats both exactly the same. Attorney Krutz also pointed out that Version B had a different definition, and that 2E lists two alternatives- above ground pools prohibited on lake lots or above ground swimming pools are not allowed in the Village unless fully screened from all neighboring properties. Trustee Foote said that fully screened is applied under Version A – 2B. Then Trustee Gehl pointed out the slight differences between the two. Trustee Seidel said the Building Zoning Ad-Hoc Committee's intent was not to allow above ground pools in Chenequa. She said that "or" makes "fully-screened" open to interpretation. She said that the committee wanted to be really clear, saying lake lots don't allow above ground pools. Trustee Seidel stressed B1 is very clear. She said the committee was trying to preserve the natural feel and trying to get away from something that could take away from this. She also said that the committee felt that part of their mission was to be certain that pools were fully screened. Trustee Foote said he would like to see a set back for the pools. Trustee Villavicencio asked if the Board's preference was for fully screened or limiting visibility. Attorney Krutz said there had to be allowed a degree of reasonableness for interpretation. He said the intent of 2B is if anyone can see it, it is not allowed. Trustee Wilkey stated she believed at the last meeting the Board voted to allow above-ground pools. President Styza said that the Ad-Hoc Committee did have a consensus that above ground pools would not be allowed. Trustee Villavicencio said she would like to see "fully screened" rather than "limited visibility". She said she felt this would be more explicit to residents and easier to enforce. Trustee Villavicencio said she would prefer if there were to be an above ground pool on the lake that it not be allowed between the lake and the house. Trustee Seidel said she would support Version B if "fully screened" was the language used. Trustee Foote suggested keeping it the simplest to

manage – no above ground pools, period, and no in-ground pools between the lake and a house. President Styza said he liked version A (treating both the same way) or simply outlawing above ground pools. Trustee Wilkey said she didn't believe there would be an influx of people wanting to put in above ground pools.

Motion (Gehl, Seidel) pass version B with 1st sentence in 2E "Above-ground swimming pools are prohibited on lake lots" included, crossing out "or" as well as the sentence that follows under 2E. Additionally, in section 2A wording should be changed from "shall be screened with natural landscape material to limit their visibility..." to "shall be *fully* screened with natural landscape material to *eliminate* their visibility...". Attorney Krutz said that he wanted to consider Trustee Seidel's idea of being able to see a pool from elevated locations and review sections 2B and 2C. Trustee Seidel asked if this would affect existing pools. Attorney Krutz said that right now there is a grandfather clause.

VOTE: Trustee Gehl, aye; Trustee Seidel, aye; Trustee Wilkey, aye; Trustee Villavicencio, aye; Trustee Foote, aye; Trustee Styza, aye; Trustee Tyre, no, *Motion Carried.*

Review and consider submitted plans for a new detached pool house and pool by Joe and Michelle Panos for their property located at 31010 Chequamegon Drive.

President Styza told the Board that the Plan Commission had met earlier in the evening and had unanimously approved the pool but not the pool house because no plans were submitted for the pool house.

Motion (Foote, Villavicencio) approve plans for a swimming pool only for Joe and Michelle Panos, *Carried Unanimously.*

Review and consider submitted plans for a three-story addition and remodeling to existing dwelling by Dr. and Mrs. Mike Mitchell for property located at 5182 N. Maple Lane.

President Styza gave a brief overview of the project, saying the Plan Commission had unanimously approved these plans at their meeting.

Motion (Gehl, Wilkey) to approve submitted plans for a three-story addition and remodeling by Dr. and Mrs. Mike Mitchell, *Carried Unanimously.*

Review and consider Certified Survey Map submitted by John J. Grimm for conditional approval of Certified Survey Map for part of lot 10 and a part of lot 11 of Hasslinger's Plat No. 2, and south ½ of lot 16 and North ½ of lot 17 of Moose Lake Gardens, located in the NE ¼ of the NE ¼ of Section 30, and the NW ¼ of the NW ¼ of Section 29, T.8N., R.18E., Town of Merton, Waukesha County, Wisconsin per Village Code 6.18 extraterritorial jurisdiction.

President Styza told Village Board members that this CSM needed the approval of the Town of Merton and the County, in addition to the Village of Chenequa. He said the intention was to combine two lots into one to allow the owner to build a garage, and that this was already approved by the Town of Merton.

Motion (Gehl, Villavicencio) to approve Certified Survey Map submitted by John J. Grimm, *Carried Unanimously.*

Review and consider Certified Survey Map submitted by Wolfgang and Georgeann Strohwig for conditional approval of Certified Survey Map for a redivision of all of parcel 2 of CSM No. 3961 located in the NW ¼ of the NE ¼ and the NE ¼ of the NW ¼ of Sec. 31, T.8N., R.18E., Town of Merton, Waukesha County, Wisconsin per Village Code 6.18 extraterritorial jurisdiction.

President Styza said this was also an Extra-Territorial property located in the Town of Merton. Trustee Gehl asked Administrator/Police Chief Douglas if lot 2 was on the lake, and was told that it was not. President Styza pointed out that a record of the town's actions were also copied and included in the trustee's packets.

Motion (Villavicencio, Wilkey) to approve the Certified Survey Map submitted by Wolfgang and Georgeann Strohwig, *Carried Unanimously.*

Review and consider Certified Survey Map submitted by John Gehl, Katherine M. Gehl, and Susan Jo Gehl, for a combination of Lots 2 and 3 of Certified Survey Map No. 4251 and Lot 1 of Survey Map No. 6820 and a Part of the Northwest ¼ and Southwest ¼ of the Northeast ¼ of Section 29, Township 8 North, Range 18 East, in the Village of Chenequa, Waukesha County.

President Styza explained this would be a combination of three parcels into one 29 acre parcel, and the access would be off Oakland Road and Tarry Lane. He pointed out that this property was located in the village. Administrator/Police Chief Douglas said he had a brief conversation with Mr. Gehl, and he was told this was being done to reduce his tax liability.

Motion (Villavicencio, Seidel) to approve the combination of lots as submitted by the Gehls, *Carried Unanimously.*

Committee Reports

Public Safety No report.

Plan Commission Met today.

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 Trustee Foote recommended that this committee be abandoned.

Building Zoning Ad Hoc Committee No report.

Lake Management Ad Hoc Committee No report.

Review and consider application for State Trust Fund Loan to provide additional financing of the dump site clean up.

President Styza explained that additional funds were needed to complete the dump site clean up. President Styza introduced the resolution for obtaining a loan in the amount of \$115,000.00 from the Board of Commissioners of Public Lands.

Motion (Villavicencio, Foote) to move forward with the adoption of the preamble and resolutions for obtaining a loan from the Board of Commissioners to provide additional financing of the dump site clean up. VOTE: Trustee Gehl, aye; Trustee Seidel, aye; Trustee Wilkey, aye; Trustee Villavicencio, aye; Trustee Foote, aye; Trustee Styza, aye; Trustee Tyre, aye, *Motion Carried.*

Review and consider application for 0% loan for dump site clean up from the Wisconsin DNR

President Styza explained that obtaining this loan would be an alternative to paying the interest for a loan from the Commissioners of Public Lands.

Motion (Seidel, Gehl) to submit the application for a 0% loan for dump site clean up from the Wisconsin DNR, *Carried Unanimously.*

Review and consider Pine Lake Boat Launch fees.

Administrator/ Police Chief Douglas addressed the Board saying he had completed a survey of area launches to see what fees they were charging. The fees for Pine Lake are currently at \$7, and most other communities are also at \$7, at least on the weekends. He suggested the Village could go to higher fees for bigger boats and barges. The maximum allowed by the DNR for most boats is \$8.50 and \$9.75 if an attendant is on duty. Trustee Villavicencio asked if we needed to get DNR approval to raise the fees. Trustee Gehl asked if other launches had season passes.

Administrator/ Police Chief Douglas said that State law allows a charge of 10 times the daily rate. President Styza asked if something more could be charged for barges. He also said he didn't feel the Village should be charging more than everyone else.

Motion (Foote, Seidel) to raise the daily launch fee to \$8 and boats 20 to 26 feet long \$10.50, and anything larger than 26 feet, \$12.50 – keeping the season pass at 10 times the daily rate, *Carried Unanimously.*

Trustee Gehl said he was concerned about boats falling in the 20-26 foot range, saying it would be hard to monitor these vessels. Trustee Villavicencio said this would still have to go to the DNR for their approval.

Review and consider revisions to village fee schedule.

Administrator/ Police Chief Douglas pointed out that most of the fee schedule is building fees. These fees were reviewed with the Building Inspector and found out to be in line with what other communities charge. He said the only place where the Village could raise fees would be the administration fee. Trustee Villavicencio said she felt the Village should be in keeping with surrounding communities.

Motion (Wilkey, Villavicencio) to approve raising the administration fee on permits to 35%,
VOTE: Trustee Gehl, aye; Trustee Seidel, no; Trustee Wilkey, aye; Trustee Villavicencio, aye;
Trustee Foote, aye; Trustee Styza, aye; Trustee Tyre, aye, *Motion Carried.*

Review and consider adoption/ approval of the Lake Country Municipal Court Budget for 2007.

Administrator/ Police Chief Douglas said the revised budget will be available at the December meeting and that the Court was considering relocating. He said he was supporting a move to Hartland.

Review and consider an official request to the Chenequa Foundation.

Report of Village Administrator.

Administrator/ Police Chief Douglas explained that the Comprehensive Lake Management Plan was divided into four separate components and that components 1 & 2 have received approval. The total cost that the Village has to contribute for these grants is \$16, 750, and none of this money has been requested from the Foundation yet. In 2007 the Village and SEWRPC will apply for the 3rd and 4th components. The DNR understands this to be a four point management plan so a total of \$23,375 will be our responsibility. Administrator/ Police Chief Douglas also pointed out that \$78,500 will be the total grant money received. He told Board members that at this time, the foundation has \$50,000 to commit. Administrator/ Police Chief Douglas explained the costs were outlined in an e-mail exchange between Dick Seaman and himself, a copy of which was included in the Trustee's packets. He said that Mr. Seaman asked the Board to prioritize needs at this time, and depending on the pledges, more could be approved in 2007. Administrator/ Police Chief Douglas recommended applying the present funds to the launch project and the test wells. Trustee Villavicencio then pointed out that the defibrillators should be \$12,000 not \$13,000 as reported on the e-mail and half of that amount will be covered by village residents.

Administrator/ Police Chief Douglas recommended future well costs be absorbed through the budget. Therefore, he recommended the \$50,000 be applied first to the cost of the launch repairs (\$20,000) and the test wells project (\$26,300), then the 50% match for the defibrillators that was raised by Jo Ann's efforts (\$6,0000) for a total of \$52,300. The village has budgeted \$2,000 for police vests, and with a matching federal grant for 50% of costs that should be sufficient for 2007. Therefore the police vests would be removed from the Foundation's request for 2007.

Motion (Foote, Gehl) to request funds from the Chenequa Foundation to cover the cost of the launch repairs, \$20,000, and the cost of well monitoring, \$26,300, with any remaining funds to be applied to the cost of the defibrillators (\$6,000). In addition to the above, the request for the Chenequa Foundation to fund future local share of the Comprehensive Lake Management Plan for Pine, Beaver, North and Cornell Lakes. This is a four (4) Component Plan that will span 2-4 years for completion. Local share is \$23, 375 for all four components of the Lake Management Plan. These funds will not be needed until late 2007-2008, possibly even 2009, depending on completion date of the lake study, *Carried Unanimously.*

Trustee Seidel said she believes that Beaver Lake should contribute to the cost of the Comprehensive Management Plan. She recommended contacting both Beaver Lake and North Lake for contributions to the Lake Comprehensive Study to help cover the local costs after the grant. Administrator/Chief Douglas was requested to make that request for partnership funding with the Friends of Beaver Lake and the North Lake Management District.

Report of Village President.

No report.

Report of Village Attorney.

President Styza announced that our Village Attorney, David Krutz, was noted as one of the best in the Metropolitan area.

Any new Business.

No report.

Adjournment.

President Styza adjourned the meeting at 8:52 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

Bonita Zimdars
Clerk/Treasurer

Bryce Styza
Chenequa Village President