

Village of Chenequa

CHENEQUA VILLAGE BOARD MINUTES OF PUBLIC COMMENT PERIOD, MONDAY, JANUARY 08, 2007 Unofficial until approved by the Village Board

A PUBLIC COMMENT PERIOD WAS HELD BY THE Board of Trustees of the Village of Chenequa at 7:30 p.m. on Monday, January 8, 2007, 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
Mr. Gehl / Trustee – present
Ms. Villavicencio / Trustee – present
Ms. Wilkey / Trustee – absent
Ms. Seidel / Trustee – absent
Mr. Foote / Trustee – absent
Dr. Tyre / Trustee – absent
Attorney David Krutz / Village Attorney – present
Mr. Douglas / Administrator -Police Chief – present
Ms. Zimdars / Clerk-Treasurer – present
Mr. Kante/ Highway-Forester - present

Attendance

Brian Nahey, Nancy Johnson, Mark Hoppe, Beth Hoppe, Dr. Jeff Simon, Molly Simon, Brian Gillstrom, Kathy Gillstrom, Susan Beede, Gary Beede, Nicole Daniels, David Barnett, Sue Mayer, Tim Michels,

Public comment period.

President Bryce Styza invited anyone wishing to make comments regarding the current snow plowing policy to make those comments at this time.

Nicole Daniels was the first to speak. She told Board members and members of the audience that she had sent a letter to all Board members previously expressing her disappointment with the revised snow plowing policy. She said she didn't understand how a new snow plowing policy could have been adopted without any prior discussion. She also said that based on discussions she had with Board members, she didn't feel that any pertinent information was discussed prior to making this decision. She said that the issue of using chains was not discussed in either letter from the Village, and that even some of the Board members were not aware of the chain issue. Ms. Daniels said she has lived in her current home for five years and has never seen the plows slip on her driveway. She said the policy needs to be changed from beginning to plow when the snow storm is done. She felt if the correct equipment were to be used, and the process was started earlier it would be more efficient. She also felt the policy to put steep driveways at the end of the snow plow route was discriminating, and didn't understand why the whole policy was changed and why the Board acted in defiance to the Building Zoning Ad-Hoc committee's recommendations. She repeated that she didn't understand why the current policy was changed without notice, and expressed her concern saying the most important issue for her concerns the safety of her children.

President Styza then questioned Ms. Daniels, asking if she felt the steepest driveways should be done first. She responded saying she understands the Village doesn't provide a plowing service, but wanted to see the safest system be put into place.

Molly Simon asked if another meeting would be held since there was not a quorum at this meeting. She also asked if typically a quorum exists. Ms. Simon said under the new policy, if

there is an emergency, no one will get to the top of the hill. Nicole Daniels then mentioned it was too late in the season to contract with a private plow service. Dr. Jeff Simon said he has lived here for 13 years and plowing was never an issue until now and that he found it very curious that there was no quorum at this particular meeting.

Brian Gillstrom told the audience he doesn't live here yet, but when he does take residence in Chenequa he will be on the top of a hill. He asked what emergency training policies were in effect for Village staff. He said he could understand why there was concern with the safety of the plowers if there were no proper training in place. He said the Village Board and staff took recommendations and wanted to know who the staff was. He also asked to get a copy of the Building/Zoning Ad-Hoc committee's recommendations.

David Barnett said he moved into the village in 1988. Prior to and during the construction of his residence, he said he had gotten approval for everything that was done. He said it was particularly disturbing to find through a letter from the Chief that his driveway is considered substandard after one snowfall. He said that other communities salt and sand ahead of a big storm and that made sense to him, saying it didn't seem to be that difficult to handle. He said the Village certainly had enough money to buy any additional salt or sand as well as chains for the plow tires. He suggested the Village hire an additional plow service to have on retainer.

Beth Hoppe said they have always been happy with the plowing service, but were shocked and surprised to receive the letter from the Chief. She didn't like the fact that this issue got voted on without input from any of the property owners. She said there seems to have been a vote and decision made, but nothing now until next month. She asked what would happen if there were to be a heavy storm between now and next month's meeting – wondering if they would be plowed. She told Board and staff their concern was to satisfy the greatest number of people and not those in the greatest need. President Styza said there has been difficulty with snow plowing for several years, and that the snow plow agreement refers to the policy that has been in place since 1999. He said the most recent policy is from 1999; however there had been a policy in place prior to that time, and other policies in place before that one as well. He said that the only change being made now is that the more difficult driveways will be plowed last and the easier driveways will be plowed first. President Styza said that from time to time the snow plowing policy will be changed, saying there are also references to curvature and that the entire policy has to be read. He said this is really not much of a change.

Attorney Krutz then read a portion of section 2B, then commenting that inherit within that policy is discretion where to start and where to provide equitable service to all. President Styza told the members of the audience that they made some valid points, and good arguments and the issue of snow plowing would be on the agenda for the next meeting to be held in February. Beth Hoppe then stating she was asking that the policy remain in effect as is until the next meeting. Nicole Daniels said she was not always first to get her driveway plowed, but was not last either. She said under the proposed new policy she didn't feel safe, asking how emergency vehicles would be able to access her property.

Brian Gillstrom said he was happy to see in the second paragraph that the primary purpose listed was to provide emergency vehicle access. Molly Simon proposed keeping the former policy in place until everyone has had a discussion regarding this issue. President Styza pointed out that there was no quorum so the Board could not act, and that a change in the snow plowing policy did not require a public hearing. Dr. Jeff Simon said he felt more emphasis was being placed on the secondary goal, and that the primary goal was not being met. He also said that the people that voted on this issue were not affected.

Police Chief Douglas said if it were to snow, the Village would be reverting back to the snow plowing policy the way it was. He said that there may be one storm in one hundred when the plows would not be able to get to certain property owners until the other properties are done. Once in a great while it may take some time for the plows to get to the more difficult driveways, and that was the message that was trying to be conveyed.

Brian Gillstrom said he spent \$45,000 on snow removal equipment but it was not effective in the last storm without chains. He said he thought chains should be able to take care of plowing on the hills. Mr. Hoppe asked if the Village had enough equipment to handle a storm.

Next Brian Nahey introduced himself as the letter writer. He said his letter asked the Village Board to give a response. He said he was able to obtain the letter that had been sent to the property owners affected by the new snow plow policy. He said that when this issue was covered by the Ad-Hoc committee, the primary goal was to provide adequate passage for emergency vehicles, but the letter that came from the Chief stated the village crew should complete the greatest number of driveways in the shortest amount of time. He said he felt this letter was totally in contrast to what had been recommended by the Ad-Hoc committee. Next he quoted the language that the Ad-Hoc committee had recommended – saying the committee’s intent was not to penalize anyone. He said it was upsetting that his letter was never answered. He said the Board needed to cancel the revised snow plow policy since it is in conflict to what was recommended by the Building/Zoning Ad-Hoc committee. He said that by not acting immediately on this he felt the Village would be open to a law suit. He said the number one goal is to provide emergency services to all, and that the Operations Committee has always strongly supported the snow plowing service. He mentioned that he travels to Colorado often, and that they have a policy requiring chains on tires. Next Mr. Nahey quoted the policy the way he felt it should be worded. This policy is attached. He said he believed that plowing should begin when access for emergency vehicles is in jeopardy, so the steep driveways should be done first. Next he quoted more of his proposed policy. He said a decision on this policy should be postponed until everyone’s comments were taken into consideration. Attorney Krutz said the Board could try to hold a special session, and that Board members unable to appear in person could participate by phone, as long as that meeting would be properly noticed. He said a special session, according to Wisconsin Statutes, could be held within 24 hours.

President Styza then said the Building/Zoning Ad-Hoc committee was an advisory committee to the Plan Commission, and that the Plan Commission was, in turn, an advisory committee to the Village Board, and that the Village Board then had the final decision. Molly Simon said she wanted to see a quorum together prior to the regularly-scheduled February meeting. She said she would like to see a meeting at the soonest time available. Trustee Andy Gehl said he had no problem meeting in between scheduled meetings, and Trustee JoAnn Villavicencio said she would like to see the full Board at a meeting concerning Snow Plowing.

Brian Nahey then asked Attorney Krutz if he wanted to defend a lawsuit that results from this change in policy. Attorney Krutz responded saying this was not part of the Charter of the Village, and the policy would be as equitable as possible with safety always as the main concern. He said he felt all of the speakers had very valid considerations.

Trustee Gehl said that the Ad-Hoc committee’s recommendations were not discussed at the last meeting. Mr. Nahey asked for clarification from Chief Douglas as to the policy that was in place right now. Chief Douglas responded, saying the plowing would be done as it always has been and the only time steep driveways will be at the end is when the trucks can’t get up the hills. Mr. Nahey said you don’t wait until 4 to 6 inches of snow have fallen; you plow when the driveways become dangerous. Trustee Gehl said the policy that was in place today stated exactly that. Mr. Nahey said he felt the policy prior to December 11th should be in effect, and the Village should be concerned with the safety of its employees.

David Barnett asked Jeff Kante if he has placed sand on steep driveways prior to snow plowing, and Jeff responded, saying he had. Beth Hoppe said they were here because the Village was hit with a blizzard on December 1st. She said a normal snowfall is 2-3 inches of snow. She said as someone who has pushed plow she thought it made sense that if only 2-3 inches fell, to wait until it was done. But she said we knew a blizzard was coming and rather than wait, the crews should have kept up on it. Attorney Krutz said the intent is to get it done. A blizzard is 18 inches or 12 inches of snowfall in a limited time. Several driveways become impassible in a short time under

these conditions. He said he felt the residents had valid concerns, and that the intent was not to leave any one out.

Next Jeff Kante explained the route taken for the last storm. Brian Gillstrom said that when he plowed his driveway, he was the first one there and that no one had been there before him to plow it out. Dr. Jeff Simon asked how the decision for the route is made. Jeff Kante explained that areas of the village with a concentration of steep driveways are plowed first. Mr. Nahey asked how Jeff had been directed to change prior to the plan, and Jeff responded that he had not been directed to change. Jeff said it was his understanding that the snow policy would remain in place until extraordinary circumstances. Brian Gillstrom said the steep driveways can be plowed by taking a different route up. President Styza said again, the policy isn't changing much – unless there is an extraordinary storm. Jeff Kante said that during the last storm two trucks broke down. He also said there are five drivers and that no two storms are identical.

David Barnett said he felt changes regarding prior salting would solve the problem of the steep driveways. Mr. Nahey said the letter that was sent out implies that if we have a safety concern we put it at the end, and he doesn't want to pay to defend a lawsuit.

Trustee Andy Gehl said it was hard as a Board member to second-guess the people who are sitting behind the wheel doing the plowing, and if that were to be kept in mind when reading the policy, you would come up with a different interpretation. President Styza said there are different interpretations, and that he felt the intent was to maintain driveways in the safest way possible.

Adjournment.

Hearing no further comments, the Public Comment period was adjourned at 8:40 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

Bonita Zimdars
Clerk/Treasurer

Bryce Styza
Chenequa Village President