

Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, APRIL 2, 2007
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 7:30 p.m. on Monday, April 2, 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
Ms. Wilkey / Trustee – present
Ms. Seidel / Trustee – absent
Mr. Gehl / Trustee – present
Mr. Foote / Trustee – absent
Ms. Villavicencio / Trustee – absent
Dr. Tyre / Trustee – present
Attorney David Krutz / Village Attorney – present
Mr. Douglas / Administrator -Police Chief – present
Ms. Zimdars / Clerk-Treasurer – present

Attendance

Rod Stotts and Chief Richard Hagemann from the Lake Country Fire Department

Public comment period.

None.

Mr. Rod Stotts to address the Board on the 2006 Lake Country Fire Department audit.

Mr. Rod Stotts from the Lake Country Fire Department introduced the audit saying the Department finished the year with a surplus of \$18,750.00; he added that the Chief runs a lean department. He also pointed out that 2 gifts had been received by LCFD, contributing to the surplus. He said that the *Friends of Nashotah* gifted \$3,000 for a laptop computer and \$1800 for a positive ventilation fan. Mr. Stotts said that expenses came in well below the budget - for example payroll came in at \$33,000 but was budgeted at \$40,000. Chief Hagemann then added that insurance came in less and not too much was spent for equipment costs last year. Motion (Wilkey, Gehl) to accept the 2006 audit of the Lake Country Fire Department as presented, *Carried Unanimously*.

Approve minutes of the March 12, 2007 Board Meeting

Motion (Wilkey, Tyre) to approve the minutes of the March 12th Village Board Meeting, *Carried Unanimously*.

Clerk/Treasurer

Present invoices for approval

Administrator/Police Chief Douglas directed Board Members' attention to the bill on the top of page 6 of the Check Detail report, noting it was a check in the amount of \$482.85 payable to the University of Wisconsin River Falls. He went on to explain this was to cover the cost of the Comprehensive Planning Public Opinion Survey which had been passed to Village Board members via e-mail. He suggested that the Board may want to consider discussing the survey at the committee levels in the future.

Motion (Tyre, Wilkey) to approve March 2007 bills, *Carried Unanimously*.

Report on investment activity

Investment activity was reviewed and no action was required.

Discussion, review and consider approval of the 2006 audit for the Village of Chenequa.

a) Approve any necessary budget amendments.

Administrator/Police Chief Douglas told Board members the amendment was forwarded last month and shows changes that need to be made to make a true and accurate 2006 budget. Attorney Krutz explained that the current issue with the auditing firm is that they would like the Administrator and Clerk to attest to a document in which they are not qualified to attest to in all points. He went on to say that the auditors, Reilly, Penner & Benton, are refusing to sign the final audit for the Village of Chenequa until they have this signed document. Attorney Krutz said it was fine to approve the audit resolution at this time. Dr. Tyre asked if the same thing was done last year, and Attorney Krutz told him that it was. Administrator/Police Chief Douglas pointed out that the prior auditing firm of Virchow Krause asked for much less from staff on these issues being attested to. President Styza explained that the Village can go over or under the set budget, but once that is done a resolution needs to be adopted.

Motion (Tyre, Gehl) to approve the 2006 budget amendment, *Carried Unanimously.*

Final – Review and consider plans submitted by Thomas and Kim Schubert for an addition to their residence located at 5445 N. Hwy 83.

Administrator/Police Chief Douglas gave an overview of the Schubert's plans, saying they were proposing a new garage on the north end of the property and the plans called for a setback of 23 ½ feet, which meets the Chenequa code. He said that neighbors had been notified and no one voiced an objection. Administrator/Police Chief Douglas then explained that the Plan Commission recommended approval with the condition that the sewer pipe to the shared septic system with the Klein property be completely terminated – not just filled in.

Motion (Wilkey, Gehl) to approve final plans submitted by Thomas and Kim Schubert for an addition to their residence, provided they terminate sewer lines as stated above, *Carried Unanimously.*

Final – Review and consider plans submitted by Joel and Caran Quadracci for an addition to their residence located at 5251 Hwy 83.

Administrator/Police Chief Douglas told Board members that any non-conforming property is limited to improvements of 50% of the assessed value, or 30% over the footprint of the house; the Quadraccis used the 30% rule. He said that the plans met with the neighbor's approval. Trustee Gehl questioned why the property was considered non-conforming. President Styza told him it was due to a second home located on the lot. Trustee Wilkey asked if the secondary house was being used and Administrator/Police Chief Douglas told her that when the Woods owned the property they had a son that occupied the home. He went on to say that from a zoning standpoint the plans meet the code.

Motion (Tyre, Wilkey) to approve final plans submitted by Joel and Caran Quadracci for an addition to their residence, with landscape and lighting to be submitted as requested by the Plan Commission, *Carried Unanimously.*

Preliminary – Review and consider plans submitted by Robert and Sarah Schmidt for renovation to an existing boathouse on their property located at 6113 N Hwy 83.

President Styza told the Board that this project was unanimously approved by the Plan Commission. It was pointed out that the first page of the plans show the proposal, while the second page shows what is existing. It was thought that this project would improve the property aesthetically. Administrator/Police Chief Douglas explained that the current boathouse extends on to the neighboring property by 1 ½ feet. He said this change would move the boathouse completely off from the neighboring property, making it more conforming. Trustee Tyre asked if the neighbors were in any way contentious, and Administrator/Police Chief Douglas said he still needed to contact Dr. Berk to be sure he approves of the change. President Styza said that the Plan Commission felt this was an improvement and was more aesthetically pleasing. He also said this was approved by the Plan Committee with the condition that the owner comes back with a landscaping plan.

Motion (Tyre, Gehl) to approve preliminary plans submitted by Robert and Sarah Schmidt for renovation to an existing boathouse, subject to approval of a landscaping plan, *Carried Unanimously*.

Preliminary - Review and consider plans submitted by John and Carole Nagy for an addition to their residence located at 31076 W. Thompson Lane.

Administrator/Police Chief Douglas said the Nagy house was nonconforming due to the fact that the house was within 50 feet of the neighbor's property. He told Board members that it has taken quite a few submittals to arrive at something acceptable. The changes would be made on the opposite side from the lake. The owners will be changing the garage into living space and adding a garage to the main residence. Administrator/Police Chief Douglas said there is currently a 2 car garage on Thompson Lane and the owners are proposing to tear it down and add a new 2 car garage. One of the neighbors asked if the garage could be moved back due to site line issues. He said the second floor will be a studio and has a fireplace, sink and kitchen. Building Inspector Tising wanted to be sure that no toilet facilities would be added, so to protect that from happening, Mr. Tising recommended a 2 inch exit pipe. The Plan Commission approved these plans with the condition that the topography be reviewed to see if the site line can be improved by moving the garage back. Trustee Wilkey then asked for clarification of where the neighbor property was located. Attorney Krutz then spoke saying he wanted to make sure the record was clear that the owners are getting *preliminary* approval of the garage as a structure with final topography approval to follow. Trustee Tyre asked if this was considered to be one of the ten steepest driveways in the Village. Administrator/Police Chief Douglas told him it was not, but it is steep.

Motion (Tyre, Wilkey) to give preliminary approval to plans submitted by John and Carole Nagy for an addition to their residence, with an outline of the topography of the property to follow, and consideration to moving the garage back from Thompson Lane, *Carried Unanimously*.

Review and consider Certified Survey Map submitted by God is Great LLC c/o Lawrence F. Schmidt for all of lot 31 of Moose Hills subdivision, a part of C.S.M. no. 2324, and a part of the SW ¼ of the SW ¼ of Section 20, all in T.8N., R.18E., Town of Merton, per Village Code 6.18 extraterritorial jurisdiction.

President Styza introduced the CSM, saying it would be dividing one parcel into two parcels. Motion (Gehl, Tyre) to approve Certified Survey Map submitted by God is Great LLC, *Carried Unanimously*.

Consider adoption of the model resolution for County and Local endorsement of the Year 2035 Regional Transportation System Plan for Southeastern Wisconsin.

President Styza said he has looked at how this plan affects the Village, and is concerned with the connector road. He said he would like to have the Plan Commission look at this and make a recommendation. In the meantime, the book is available for viewing at the Village Hall.

Motion (Tyre, Wilkey) to refer this for review to the Plan Commission, *Carried Unanimously*.

Committee Reports

Public Safety – no report.

Operations – no report.

Plan Commission – Working on a permit review form.

Open Space – no report.

Board of Appeals – no report.

Personnel Committee – meeting pushed out to May to meet committee member's schedules.

Hwy 83 Task Force – Have been exchanging e-mails with DOT.

Emergency Government Committee – no report.

Lake Management Ad Hoc Committee – waiting for report.

Report of Village Administrator

Administrator/Police Chief Douglas reported that the total deer count stands at 51, which is average; with the totals coming in anywhere between 40 and 60 in any given year.

Report of Village President

President Styza said he keeps reading about Oak Wilt and Emerald Ash Borer and asked if the Village had an ordinance ordering infected trees to be taken down. Attorney Krutz said if the tree is diseased or infected, the Village Forester has the power, through our current ordinances, to require the trimming or removal of any tree that is diseased or considered a public nuisance. One concern, he said, is that if one type of disease were thought to be a threat, but has not yet infected a tree or if a tree shows no signs of the disease. This issue is not addressed in the statutes. Attorney Krutz said it would be his recommendation to have the Village Forester come to address the board to see if this issue needs to be addressed further. President Styza asked how the Village would prepare for something like this. Trustee Tyre suggested getting a thorough briefing from someone with knowledge in these matters of concern. Trustee Wilkey asked if the Forester should be asked to come to the next meeting, and President Styza said he should. Trustee Tyre said there are properties for sale in the Village, and John Adams's in particular, has extensive trees and brush. He asked if someone were to purchase the property and wanted to clear some of the trees and brush, would they have to get a permit. Administrator/Police Chief Douglas said that a permit is required for all cutting within 75 feet of a lake, and that it is a good idea to come to the Village Forester first because he offers advice. Trustee Tyre asked if the Village had discretionary authority to require replacement and Administrator/Police Chief Douglas said the Village did have that authority.

Administrator/Police Chief Douglas next addressed the issue of the sale of the village property saying Attorney Krutz had put a binder together which included phases 1, 2 and 3. He said a separate mailing will be sent out next week when both he and Attorney Krutz would be away. He said that way, by the time it is received by village residents and respective buyers, he and Attorney Krutz would be back to answer any questions. Attorney Krutz said appraisals and supporting documents are available, and any sale of Village-owned property would need to first be approved by the Village Board. Trustee Tyre asked if the property immediately to the north would be impacted water-wise. Administrator/Police Chief Douglas said he was unsure, and that property was not in the Village of Chenequa. Trustee Tyre then asked if the Village would have any responsibility if the owners of the property were to change drainage vectors. Attorney Krutz told him the Village would not have responsibility, but rather the new owner could be liable.

Report of Village Attorney.

No report.

Any new Business.

None.

Adjournment.

President Styza adjourned the meeting at 8:20 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

Bonita Zimdars
Clerk/Treasurer

Bryce Styza
Chenequa Village President