

## Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, September 8, 2008  
Unofficial until approved by the Village Board  
Approved as written ( ) or with corrections (✓) on 10-13-2008

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:30 p.m. on Monday, September 8, 2008, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media had been met. Following is the attendance list:

Mr. Styza / President – present

Mr. Foote, Ms. Villavicencio, Ms. Seidel, Ms. Wilkey, Mr. Gehl, Dr. Tyre / Trustees – present

Attorney David Krutz / Village Attorney – absent

Mr. Douglas / Administrator -Police Chief – present

Ms. Zimdars / Clerk-Treasurer – present

Mr. Kante/ Highway-Forestry Superintendent - present

### Attendance

Barbara Ewald, Ernie Ewald, Paul Jones, Pat Jones, Duane A. Grimm, Carl Eschweiler, William Graham

### Public Comment Period

First Mr. Ewald spoke regarding a request to repave Morris Drive. President Styza questioned the location of Morris Drive and Mr. Ewald told him the road paralleled Hwy 16, running east and west. He said the road is in dire need of maintenance; this road was never intended for anything but a frontage road. He went on to say that Nashotah was responsible for the west part of the road and that the Village has three roads: Muscovy Road, Morris Drive, and Pine Meadows. This totals 1.19 miles of road and approximately 1/3 of that is Morris Drive. President Styza said when Muscovy Road was requested to be repaired, residents were told that they would be special assessed for the work. They have not made any repairs to the roadway up to this point. Mr. Ewald said that he and his neighbors recently spent \$50,000 to repave Pinecrest Drive. He said the State has been funding the Village for its roads every year. He said that Morris Drive is the frontage road to Pinecrest Drive. Mrs. Ewald said that originally the frontage road went through to Hwy 83. Next Mr. Ewald asked if the Chenequa has reserved funds for its roads. Administrator/Police Chief Douglas said the annual payments from the Department of Transportation come in as a line item and are used for things like fire protection, police protection as well as road maintenance. Mr. Ewald then came forward with an estimate for repairing Morris Drive in the amount of \$58,000, which came from Payne & Dolan. Mr. Jones spoke saying he would like to appeal to the Village Board to seriously consider this request, and that \$58,000 is not too much to request. He said he was making the request on behalf of himself and his wife as well as other neighbors. A letter from Curt Culver was also submitted on this issue by Mr. Ewald.

Next Mr. Duane Grimm addressed the Board regarding the proposed dog park at Nashotah Park. He said he was asking for financial support for a dog exercise park and that Nashotah Park would be the best option for a dog exercise area in lake country. He said he was looking for support to show that communities within a 4 mile radius of the park are in support of the dog park. Expenses would include fencing and gates, and a double gate system would be used. Trustee Foote asked what the County's responsibility would be for the park. Mr. Grimm responded, saying the County would be responsible for performing the labor. President Styza asked for the total cost to the County, and was told it would be approximately \$43,000. Mr. Grimm said he was asking Chenequa to fund \$1,500. Trustee Seidel said this issue had been brought up a number of years ago with Dan Finley. She asked if anyone had recently contacted those who wanted this park at that time. Trustee Seidel also suggested funds could be raised through private donations. Mr. Carl Eschweiler said having a large park nearby would be very beneficial for animals in a confined area. Trustee Villavicencio asked if the dog park were to be built, would the

County prohibit dogs from being in other areas of the park; and was told that the dogs would have to be on a lead if they were not in a fenced area. Trustee Villavicencio then asked if this would be a one time contribution, and Mr. Grimm told her it would be and the County would take care of all of the maintenance.

**Approve minutes of the August 11<sup>th</sup>, 2008 Board Meeting.**

Motion (Wilkey, Villavicencio) to approve the minutes of the August 11<sup>th</sup>, Village Board Meeting, *Carried Unanimously.*

**Clerk/Treasurer**

**Present invoices for approval**

Motion (Villavicencio, Foote) to approve the August 2008 bills, *Carried Unanimously.*

**Report on investment activity**

Investment activity was reviewed and no action was required.

**Review and consider adding Sharon Pretasky to the list of Chenequa poll workers (term expiring December 2008)**

Motion (Styza, Foote) to add Sharon Pretasky to the list of Chenequa poll workers, *Carried Unanimously.*

**Final – review and consider plans for an addition/remodel at the Chenequa Country Club located at 6250 N Hwy 83.**

President Styza said the plans for the Chenequa Country Club were approved by the Plan Commission earlier in the evening.

Motion (Gehl, Seidel) to give final approval to plans for an addition/remodel at the Chenequa Country Club located at 6250 N. Hwy 83, *Motion Carried, with Trustee Wilkey recusing herself.*

**Consider land division for Wolfgang Dorner creating one, five-acre parcel and an out lot at his property located at 5166 N. Hwy 83.**

President Styza explained that the plans had previously been approved by the Plan Commission.

Motion (Wilkey, Villavicencio) to give final approval for a land division for Wolfgang Dorner creating one five-acre parcel and an out lot at his property located at 5166 N. Hwy 83, *Carried Unanimously.*

**Preliminary – Review and consider plans submitted by Michael and Debbie Wheeler for razing the existing house and garage and building both new at their property located at 6296 Brumder Road.**

President Styza explained that the plans are to tear down the existing home, but there is a problem with the proposed new house in that its height exceeds the code by 4 feet 8 inches. The Plan Commission denied the plans based on this information and now the owners can either make changes to the plans or can apply to be heard before the Board of Appeals.

Motion (Seidel, Villavicencio) to accept the Plan Commission's recommendation and deny permission to proceed with plans submitted by Michael and Debbie Wheeler for razing the existing house and garage and building both new at their property located at 6296 Brumder Road, *Carried Unanimously.*

**Preliminary – Review and consider plans submitted by Mark and Susan Irgens for dwelling additions and a new shed at their property located at 6866 Wildwood Point Road.**

President Styza said the Plan Commission recommended approval of these plans as final and that all materials will match those of the existing structure.

Motion (Tyre, Wilkey) to give final approval to Mark and Susan Irgens for dwelling additions and a new shed at their property located at 6866 Wildwood Point Road, *Carried Unanimously.*

**Preliminary – Review and consider plans submitted by Edward and Elisabeth Yewer for a new garage at their property located at 6259 N. Hwy 83.**

Trustee Seidel said that these plans do not meet all of the Village's requirements, specifically, Chapter 6 under number 5, "lot area requirements for lots abutting lake"; the Yewers do not meet the land requirements, having 1.9 acres. Administrator/Police Chief Douglas said further into the code it says you are allowed to build on a legal nonconforming lot. Trustee Villavicencio asked if there was something in the ordinance that prohibits the building from being erected. President Styza said the Village wants to see the material on the out building to be similar to the house, but there is nothing in our ordinance to that effect. Trustee Seidel asked where in the ordinance it says it can be done. Administrator/Police Chief Douglas said section 6.07 of the code lists the uses for nonconforming lots. Motion (Wilkey, Foote) to approve plans submitted by Edward and Elisabeth Yewer for a new garage at their property located at 6259 N. Hwy 83, Carried Unanimously.

President Styza said the Board should look at the ordinance for outbuildings and change it so it requires matching existing structures. Trustee Villavicencio said it should include language which says if there is no prior existing structure then the initial material used should be in keeping with other homes in the Village.

### **Update from Trustee Gehl regarding Beaver Lake slow no wake joint ordinance with the Town of Merton.**

Trustee Gehl said he had met with the Beaver Lake Yacht Club and the Friends of Beaver Lake last week regarding elevation levels. Pine Lake currently has a no wake threshold at 903.2, and Beaver Lake wants to set their threshold at 910.2. He said there are upcoming annual meetings for both the Beaver Lake Yacht Club and the Friends of Beaver Lake, and there would be the potential to bring this issue up for discussion. Trustee Foote asked how much over the dam would be at 910.2. Trustee Gehl said that would be about a foot. He said Beaver Lake would like to be the first to impose a Slow no wake order in times of high water, and they would also like to be the last ones to lift that restriction. President Styza said Pine Lake has come down about 10 inches since July.

### **Hwy 83 update.**

Trustee Villavicencio said that Administrator/Police Chief Douglas had received a letter from the City of Hartford in response to a letter that was sent to them asking the city to join Chenequa in our efforts to move traffic from Hwy 83 to Hwy P; saying they were not in favor of the move. Trustee Wilkey asked for the reason they were not supportive and Administrator/Police Chief Douglas said that Hwy 83 is used to access the I-94 corridor, and they feel this remains their best option. President Styza then quoted Winston Churchill who said, "Never, never, never, give up!" Trustee Villavicencio said she was not noticed when the meeting regarding Hwy 83 relocation was to take place; otherwise they could have made their case for moving Hwy 83. Administrator/Police Chief Douglas said the chairman of Dodge County said they would support the move, and in turn would ask Chenequa to help Dodge County to recoup some of the funds spent on Hwy P. He also said that Washington County also seems to be supportive, but they are first waiting to see what Hartford will do.

### **Lake Country Fire Dept. Expansion – merger talks update.**

President Styza said the talks keep moving along, and explained the combined budget being proposed. Trustee Wilkey pointed out that Delafield has the next level of EMS, and she is very enthusiastic about the merger.

### **Committee Reports**

*Public Safety* – Will be meeting soon.

*Operations* – Met on August 26th. {Report follows below}

*Plan Commission* – Met earlier

*Open Space* – No report

*Board of Appeals* – No report

*Personnel Committee* – No report

*Hwy 83 Task Force* – Discussed earlier

*Emergency Government Committee – No report*  
*Lake Management Ad Hoc Committee – No report*  
*Police Commission – No report*

Trustee Villavicencio gave a report of the Operations Committee meeting that was held on August 26<sup>th</sup>. The committee started out by meeting at the Forestry Garage. Also attending the meeting was Mr. Brian Taylor a representative from Case. An explanation of current and proposed equipment was given. The committee also looked at the rental house in need of repairs. The minutes from the meeting were included in the Board packets. The highway/forestry budget has seen an increase due mainly to the extraordinary winter. The Operations Committee also felt the fee charged for snow plow services should be increased to \$100, as this would help to offset plowing costs. Building improvements were discussed and Administrator/Police Chief Douglas said that new tenants moved into the house in spring, but these tenants are not active members of Lake Country Fire Department as required at this point. Written correspondence was sent by Administrator/Police Chief Douglas which included a copy of the lease agreement and outlined requirements regarding Lake Country Fire participation. Discussion ensued on the rental property. Trustee Villavicencio said the Operations Committee had given their recommendation to approve both the forestry budget and the launch budget. She went on to say the 1987 tractor took up most of the discussion at the Operations Committee meeting. She said the proposed tractor is a 4 x 4 with more horse power, torque, and would have the ability to be used throughout the year. The safety features, the ability to add attachments, as well as the ability to plow steeper hills and break up the sand/salt mixture would make the new tractor very beneficial. Forester Kante went explained that he has asked for help from the Town of Merton, and they are willing to help, but only after their own plowing is done. He also said the new tractor would be given a longer warranty since it would be for use in a municipality. The old tractor has parts that are not easily accessible so there is more down time when repairs are needed. The old tractor also does not have enough torque to break up the salt/sand mixture when it is frozen. Forester Kante said that based on last year's snow plow complaints, residents want service sooner, not later. Trustee Villavicencio said the cost of the new tractor would be approximately \$83,000. Forester Kante said there are 1200 hours on the current tractor. Trustee Foote asked if a used tractor could be purchased and Forester Kante said he had checked into that option and was told that tractors coming in as used all have more hours on them than the one we have now. Forester Kante went on to explain that the new tractor has hydraulic jaws in the front bucket thereby making it quicker for removal of limbs and branches due to storm damage; this would also take away the tension release. Trustee Villavicencio said 3 members of her committee had voted for the purchase of the new tractor and 3 had voted against it, causing the motion to fail.

**Review and consider application for State Trust Fund Loan for the purpose of refinancing outstanding debt and for additional funds.**

Administrator/Police Chief Douglas reviewed a few of the financing options available. He explained that this year the Village will come in about \$50,000 to \$60,000 over budget; so the 390,000 currently in reserves would be reduced by that amount making the net funds available in the reserve account approximately 330,000. Trustee Foote said he would not be comfortable decreasing the reserve account by a large amount. President Styza then discussed the request for Morris Drive road work. He said that Muscovy Road was brought to the attention of the Village Board 2 or 3 times in the past, and the last time the Board said they would special assess or would vacate the road allowing the residents to take care of it. He also said the argument Mr. Ewald made regarding state aide was somewhat valid, but noted that other communities also do special assessments. He reminded Board members that the levy could only be increased by 2%. Trustee Seidel said the Village should have a policy regarding road maintenance whether or not there are funds available. President Styza said it should be clarified with the D.O.T. who has ownership of the road. Administrator/Police Chief Douglas said he has already sent a request to Waukesha County to find out who owns the road. Trustee Foote then asked if it would be reasonable to think the tractor would last 20 years, and Forester Kante told him it would. Trustee Foote suggested the tractor be financed over 20 years taking out a loan at 4.75% and using little from reserves. Trustee Seidel asked why there would need to be such a high balance in the reserve account. Trustee Foote said because

of inflation and levy caps. Trustee Villavicencio then suggested taking 112,000 from reserves and rolling over the building loan.

Motion (Gehl, Villavicencio) to apply for a loan in the amount of \$537,917 for a period of 20 years at an interest rate of 4.75% to cover the balloon payment due December 1<sup>st</sup> on the mortgage, Carried Unanimously.

Motion (Foote, Seidel) to use \$112,000 taken from reserves to purchase 2 snow plows, spend approximately \$20,000 on house repairs for the village owned property on Hwy 83, and to purchase the new Case tractor, Carried Unanimously.

Administrator/Police Chief Douglas then told Board members because this loan was being applied for so late in the year, there would be no payment due until 2010; so the \$60,000 not paid on the balloon payment could be spent for Smart Growth, the reassessment, and to cover other expenses.

**Village correspondence regarding Morris Drive**

President Styza said it should be found out whose jurisdiction this road was in and if it was vacated.

**Review and consider giving financial support in the amount of \$1,500 to help fund the Waukesha County Park System's proposal to construct a Dog Exercise area at Nashotah Park.**

There was no consensus to support a donation of \$1,500 to help fund the dog park.

**Consider revised easement for A T & T on Village property located at 5595 N Hwy 83.**

Administrator/Police Chief Douglas said that three easements were granted to A T & T several years ago. Now the easements need to be changed, and he was looking for verbal approval for the revised easement, noting a formal revised CSM would follow.

Motion (Wilkey, Villavicencio) to approve the revised easement for A T & T on Village property located at 5595 N Hwy 83, Carried Unanimously.

**Report of Village Administrator.**

No report.

**Report of Village President.**

Administrator/Police Chief Douglas said that the Safety Committee will be meeting the last week of September. .

**Report of Village Attorney.**

No report.

**Agenda items to be considered for future meeting of the Village Board.**

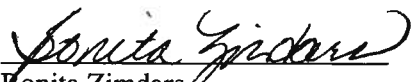
None.


**Adjournment.**

Motion (Tyre, Seidel) to adjourn the September meeting of the Village Board at 9:25 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

  
Bonita Zimdars  
Clerk/Treasurer

  
Bryce Styza  
Chenequa Village President