
Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING MINUTES OF MONDAY, MARCH 9, 2009 Unofficial until approved by the Village Board Approved as written <u>Q</u> or with corrections () on <u>4-13-09</u>
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The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:30 p.m. on Monday, March 9, 2009, 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. Villavicencio / Trustee – present
Ms. Seidel / Trustee – present
Mr. Gehl / Trustee – present
Dr. Tyre / Trustee – present
Mr. Foote / Trustee – absent
Ms. Wilkey / Trustee – present
Attorney David Krutz / Village Attorney – present
Attorney Susan M. Sager / Village Attorney - present
Mr. Douglas / Administrator -Police Chief – present
Ms. Zimdars / Clerk-Treasurer – present

Attendance

Timothy Klink (Town of Merton) James Williams, Bette Williams, Barry Belanger

Discussion regarding jurisdictional changes to Hasslinger Drive.

President Styza explained that the Town of Merton has asked Chenequa to detach a portion of Hasslinger Drive. Administrator/Police Chief Douglas gave an overview of the proposal, explaining that the Town of Merton maintains the roadway currently, but is unable to receive State Aids since jurisdictionally it belongs to Chenequa. He said this proposal is to move the village boundary so the Town of Merton can receive State Aids on this portion of the road which they maintain. Additionally, moving the boundary would help to clean up several small lots that lie partially within Chenequa's boundary.

Administrator/Police Chief Douglas suggested if the larger parcel owned by Moose Lake Partners was to be detached, it should be done so with a deed restriction. Trustee Tyre asked what was driving this request, and was told the Town of Merton would benefit from this proposal by receiving Highway Aids, and Chenequa should try to be a good neighbor. President Styza said the consensus of the Plan Commission was to detach Hasslinger Drive and the several small lots along the drive, but did not recommend detaching the 7 acre lot.

Mr. Williams then addressed the trustees stating his objection to the detachment, requested the proposal be dropped and stated his reasons. His complete speaking notes are herewith attached to this document. Mr. Belanger then spoke of his concerns saying if the boundary stays where it is, it would be more likely that Chenequa's rules would be followed. Next Mr. Tim Klink from the Town of Merton addressed the Board. He said the Town of Merton made this request over 5 years ago and saw this as an opportunity to clean up the boundary with the Village. He said the Town would work with the Village regarding deed restriction, and there are several reviews done before any CSMs are approved. He explained that the Town of Merton owns all the way to Hwy C, and the Town has maintained the road and never charged a fee. He said, "As a good neighbor and working together we would like to see this work." Trustee Seidel said she lives on Oakland Road and doesn't want to see increased detachments from the Village. Attorney Krutz said that clarification needs to be made about true jurisdictional ownership... is there a quit claim deed, or a warranty deed? He said consent of the property owners would be required in order to detach; it cannot be done by contract. Trustee Tyre said he heard 6 concerns and thought it would be reasonable for council to check into these concerns. Trustee Gehl asked if it would be possible to take over the front of the road then contract out and Administrator/Police Chief Douglas told him that we tried already, but it was rejected by the State.

Approve minutes of the February 9, 2009 Board Meeting.

Motion (Gehl, Villavicencio) to approve the minutes of the February 9, 2009 Board meeting, Carried Unanimously.

Clerk/Treasurer

Present invoices for approval.

Motion (Villavicencio, Seidel) to approve the invoices as presented, Carried Unanimously.

Report on Investment activity.

Investments were reviewed.

Review and consider plans submitted by Chris Kozina for a new home on his property located at 5472 N Hwy 83.

President Styza explained that the Plan Commission previously approved these plans as final. The owner had a garage approved 3 or 4 months ago. This is a legal non-conforming lot. Trustee Wilkey pointed out there was one member of the Plan Commission that voted against the approval.

Motion (Tyre, Wilkey) to give final approval to plans submitted by Chris Kozina for a new home on his property located at 5472 N Hwy 83, Carried Unanimously.

Review and consider plans submitted by Kathleen Seidel to have a two foot tall, free-standing stone wall constructed along her driveway located at 32289 W. Oakland Road.

President Styza said the Plan Commission questioned what was going on with the trees. Trustee Seidel recused herself for this Agenda Item. Ms Seidel explained the wall would go around the trees.

Motion (Tyre, Gehl) to give final approval to plans submitted by Kathleen Seidel to have a two foot tall, free-standing stone wall constructed along her property located at 32289 W. Oakland Road: Styza, Villavicencio, Tyre, Gehl, Wilkey, - aye; Seidel abstained, Motion Carried.

Review and consider adoption of section 5.05, Building Permits and Land Disturbance Permits.

Motion (Tyre, Seidel) to approve adoption of section 5.05, Building Permits and Land Disturbance Permits: Styza, Villavicencio, Tyre, Seidel, Wilkey, - aye; Gehl - no, Motion Carried.

Discussion regarding jurisdictional changes to Hasslinger Drive.

President Styza said he does not want to expend funds for engineering and legal fees to address all the outstanding issues, but would like to be a good neighbor to Merton. He said he thought the Town of Merton should pay the expenses for the necessary research to address the outstanding issues surrounding the requested detachment. Attorney Krutz said there should be a plat recorded. Trustee Tyre said the burden should be on both groups to do the research. The consensus was that more information was needed from the Town of Merton. Administrator/Police Chief Douglas said he would like to resolve the Hasslinger Drive issue.

Review and consider adoption of resolution 2009-03-09-01 to create section 1.13 of the village code dealing with non-regulation of employee wages or benefits for private businesses.

Attorney Krutz explained that this had to do with sick leave.

Motion (Wilkey, Gehl) to approve adoption of resolution 2009-03-09-01 to create section 1.13 of the village code dealing with non-regulation of employee wages or benefits for private businesses, Carried Unanimously.

Establish May 11, 2009 as the Public Hearing date for the adoption of the Chenequa SMART GROWTH plan.

Administrator/Police Chief Douglas explained that the cut off for the grant is May 2nd, meaning any costs incurred after that date wouldn't be reimbursable.

Motion (Gehl, Villavicencio) to approve May 11, 2009, at 7:30 p.m. as the Public Hearing date for the adoption of the Chenequa SMART GROWTH plan, Carried Unanimously.

Consider appointing Kathleen MacDonough to the list of election inspectors, term expiring December 2009.

Motion (Wilkey, Villavicencio) to approve the appointment of Kathleen MacDonough to the list of election inspectors, term expiring December 2009, Carried Unanimously.

Review and consider issuance of Operator's license for Shea Michael O'Rorke.

Motion (Gehl, Wilkey) to approve the issuance of an Operator's license for Shea Michael O'Rorke, *Carried Unanimously.*

Lake Country Fire Dept. Expansion – merger talks update.

President Styza said the talks continue, and if all goes according to schedule the plan will be approved this summer and enacted on 1-1-2010. He said the expansion will improve coverage and save money. Administrator/Police Chief Douglas said there was no dissension among the firefighters. President Styza said that Ed Henschel was hired to look through the proposal and a public hearing would be required for approval.

Committee Reports

Public Safety No report.

Operations No report.

Plan Commission Met earlier.

Open Space No report.

Board of Appeals No report.

Personnel Committee President Styza asked if all job descriptions were still current.

Hwy 83 Task Force No report.

Emergency Government Committee No report.

Lake Management Ad Hoc Committee Trustee Villavicencio said the next phase should be ready by this fall.

Police Commission No report.

Report of Village Administrator

Administrator/Chief Douglas told Board members the current deer count was at 70, and the sharpshooters would be going another week on the west side of the Village. He said he got a phone call from Kean Kemnitz, asking for toilets to be allowed in garages, sheds or boathouses; and the simple solution would be to eliminate the words "or toilet" in section 6.03 about half way down in the section. President Styza said he has heard no consensus to do this, but Tom Rolfs thinks it should be done. Administrator/Police Chief Douglas said that other people have stated that since they have gardeners, they would like to give them access to toilet facilities, without giving them access to their homes. Trustee Seidel said she has a bathroom near her boathouse and there are no problems with it. Trustee Gehl said if the word "toilet" was going to be struck, then also struck should be "cooking" and "sleeping". He said he would like to see a public hearing on this issue. The consensus of the Trustees was to pursue this issue.

Report of Village President

No Report.

Report of Village Attorney

No Report.

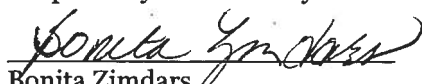
Agenda items to be considered for future meetings of the Village Board.

None.

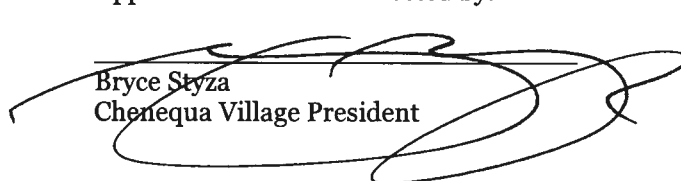
Adjournment.

Motion (Tyre, Wilkey) to adjourn the March 9th meeting of the Village Board at 8:40 p.m., *Carried Unanimously.*

Respectfully submitted by:


Bonita Zimdars
Clerk/Treasurer

Approved and Ordered Posted by:


Bryce Styza
Chenequa Village President