

## Village of Chenequa

CHENEQUA PUBLIC HEARING AND VILLAGE BOARD  
MEETING MINUTES OF MONDAY, SEPTEMBER 14, 2009  
Unofficial until approved by the Village Board  
Approved as written () or with corrections ( ) on 10-19-2009

**A public hearing to hear comments regarding the Special Assessments for Morris Drive Public Improvements was called to order at 7:30 p.m. Legal requirement for notification of the news media had been met.**

Following is the attendance list:

Mr. Styza / President – present  
Ms. Villavicencio / Trustee – absent  
Ms. Seidel / Trustee – present  
Mr. Gehl / Trustee – present  
Mr. Foote / Trustee – present  
Ms. Wilkey / Trustee – present  
Mr. Haase / Trustee – present  
Attorney Susan Sager / Village Attorney - present  
Mr. Douglas / Administrator -Police Chief – present  
Ms. Zimdars / Clerk-Treasurer – present

### **Public Attendance:**

Jill Denny; Richard Weaver,; Patty Treiber; John Treiber; Bette Williams; James Williams; Peggy Helz; Tim Helz; Gary Beede; Susan Beede; Molly Simon; Barry Belanger

Attorney Sager explained that the Village Board has adopted the preliminary resolution which states a portion of the costs to repave Morris Drive will be paid for through special assessment. A copy of the administrator's report was made available for viewing by the public. Proper notice of this public hearing was published, posted; and those directly impacted were notified through U.S. Mail. She went on to say the Board may ultimately adopt the final resolution at tonight's meeting. Mr. Helz then addressed the Board, saying he lives on Pinecrest and the problem with Morris Drive is that it was built by the State, then redeveloped and widened. The access Road is patrolled, and is currently in a state of disrepair which ultimately becomes a liability for the Village of Chenequa. He noted at a previous meeting of the Village Board, Trustees Foote and Villavicencio indicated that the Village could pay for the needed repairs. Dr. Helz pointed out that the lawn has not been maintained by the Village of Chenequa. He went on to say there are two different methods used to compute highway aid - either a rate per mile which would yield approximately \$2,300/year; or a shared cost formula which yields approximately \$141,000/year. He then read part of a letter received from officials at the Department of Transportation and said the Village would not receive any aid if it did not have the 1.19 miles of road. He said he felt the special assessment is unfair. He also said he understood the Village has costs for Fire Protection, Police Protection, and Highway/Forestry. He went on to read from the 2008 Form C which had been filed with the State by the Village of Chenequa. Dr. Helz suggested putting aside reserved funds to pay for the needed improvements. He suggested perhaps Muscovy or Pine Meadows might be treated differently. President Styza stated the position of the Board, saying the funds received from the State in Highway Aids are for the good of all the residents, not just people on Morris Drive. He also said the money belongs to the Village and is not exclusively for aiding Morris Drive. Next the question of applying for a grant was brought up and Administrator/Police Chief Douglas said although there were funds available, Morris Drive would have to brought up to standards and traffic counts would need to be performed in order to qualify for grant money. He said the paperwork is not yet available to apply for the grant. Mr. Williams inserted that all other roads are maintained for plowing and clearing only.

Motion (Seidel, Haase) to close the public hearing at 7:50 p.m., *Carried Unanimously.*

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:30 p.m. on Monday, September 14, 2009, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met.

### **Public comment period**

Molly Simon said she would like the minutes of the July Board meeting to reflect that residents were there to state their opposition to the detachment of Hasslinger Drive. Administrator/Police Chief Douglas said the letter Mr. Williams sent to the Village regarding questions surrounding the proposed detachment of Hasslinger Drive was given to the Town of Merton for response. To date, they have not gotten the responses together. President Styza said it was his opinion that the Town of Merton has asked for help, and we would like to offer help, but the residents of Chenequa made better arguments for reasons *not* to detach Hasslinger Drive. Mr. Weaver said on Robin Lane there is a garage that has doors on 3 sides, perhaps even 4 sides. He asked that the Board please think about this carefully, noting what had happened on Silver Lake where a restaurant

was built without going through proper permitting procedures and Oconomowoc gave a variance after the fact. Mr. Williams then addressed the Board, saying in March and August he wrote letters. He said he felt the Village should have their own experts to look into this issue again. He then read a prepared statement which is attached. Molly Simon said Jill Denny wanted clarification if this issue is done. President Styza then moved agenda item 13 to be addressed.

#### **Report of Village Administrator.**

##### **Hasslinger Drive Update.**

Trustee Haase said he had not heard good reason why the portion of Hasslinger Drive should be given up. Trustee Gehl said he has not seen the Town of Merton at any meetings thus far. He said the Village needs to be considerate to surrounding towns, villages, etc. but the Village of Chenequa should remain consistent. He noted there was no action item to be voted up or down. Trustee Seidel said only the owner is allowed to deed restrict a property, it is very important for the Village to hang on to this property. She said she believes the Board has a responsibility. Trustee Foote gave an overview then said the only way the Village can stop any further development is to prevent that road from being converted into a high traffic road. Motion (Foote, Seidel) to deny the Town of Merton request to detach a portion of Hasslinger Drive, Carried Unanimously.

#### **Report by Village Forester**

See attached hand outs.

Trustee Gehl said he would like to be made aware of any meetings with USGS.

#### **Consideration of approval to proceed with the Morris Drive Public Improvement Project and that the Project be paid for in accordance with the Village Administrator's Report on the Payment by Special Assessment.**

Motion (Seidel, Wilkey) to approve resolution 2009-09-14-01 Final Resolution Authorizing a Special Assessment for a part of the improvement of Morris Drive in the Village of Chenequa. Trustee Foote said Form C should be audited to make sure expenses are placed in proper categories. , Carried Unanimously.

#### **Clerk/Treasurer**

##### **Minutes**

Motion (Wilkey, Gehl) to approve the minutes from the August 10, 2209, meeting of the Chenequa Village Board, Carried Unanimously.

#### **Present invoices for approval.**

Motion (Wilkey, Haase) to approve the invoices as presented, Carried Unanimously.

#### **Report on Investment activity.**

Investments were reviewed, no action was required.

#### **Preliminary/Possible Final review and consider plans submitted by Todd Catlin for remodeling, an addition, and new garage for his property located at 5318 N Hwy C.**

President Styza said the Plan Commission had given final approval on these plans. Trustee Seidel asked for clarification of the project.

Motion (Wilkey, Foote) to give final approval to plans submitted by Todd Catlin for remodeling, an addition, and new garage for his property located at 5318 N. Hwy C, Carried Unanimously.

#### **Final – Revision to previously approved layout of new residence structure submitted by David Herro & Jay Franke for a new residence structure for property under consideration at 5162 N. Maple Lane.**

President Styza told Board members this was the third time plans were being presented for these owners- on two different lots and then with a different layout.

Motion (Haase, Wilkey) to give final approval to the layout of new residence structure submitted by David Herro and Jay Franke for a new residence structure for property under consideration at 5162 N. Maple Lane, Carried Unanimously.

#### **Review and consider Certified Survey Map submitted by Wolfgang Dorner for a re-division of outlot 1 and a part of lot 1 of CSM 10593 and a part of the SW ¼ of the NE ¼ and the SE ¼ of the NW ¼ of Section 33, T.8N., R.18E., Village Chenequa, Waukesha County.**

Motion (Wilkey, Seidel) to approve the Certified Survey Map submitted by Wolfgang Dorner, Carried Unanimously.

#### **Review and consider Certified Survey Map submitted by Garvin Lake LLC for all of lots 6, 7,16,14, 13, 12, and 11 and the south 30 feet of lot 10; also part of platted r.o.w. vacated in resolution dated July of 200; all in the plat of Vilter's Grand View Park, located in the NE ¼ and SE ¼ of the SW ¼ and NW ¼ and SW ¼ of the SE ¼, all in section 30, T.8N., R.18E, Town of Merton, Waukesha County, per Village Code 6.18 extraterritorial jurisdiction.**

This item was tabled until first approved by the Town of Merton.

**Consider funding for Village Hall entrance repairs.**

Administrator/Police Chief Douglas said after winter, the driveway in front of the Village Hall suffered a severe ice heave at both entrances. He asked Payne & Dolan to present ideas for repairing the driveway problem area. President Styza suggested that both entrances would have to be excavated to get through this coming winter, and noted there is a problem with drainage in these areas. He said that there is a heated ramp by the fire door, but the bottom 10 feet of pavement is not heated. President Styza said crushed rock and bonding should be placed and compacted in the spots that are to be excavated. He said this project could be looked at next year and the costs of the project should be looked into, as well as the best placement of the tile.

**Review and consider Animal Service Agreement with Elmbrook Humane Society.**

Motion (Gehl, Haase) to approve the Animal Service Agreement with Elmbrook Humane Society, *Carried Unanimously.*

**Committee Reports**

**Public Safety** – meeting set for September 23<sup>rd</sup> at 7pm.

**Operations** – meeting set for September 22<sup>nd</sup> at 5pm.

**Plan Commission**

**Open Space**

**Board of Appeals**

**Personnel Committee** – meeting set for September 23<sup>rd</sup> at 9am.

**Hwy 83 Task Force** – President Styza said the D.O. T. will be back in 2015, so the Hwy 83 Committee should reconvene and get Southeastern Wisconsin Regional Planning Commission (SEWRPC) involved. A request to relocate Hwy 83 is pending. President Styza said SEWRPC has a transportation committee and he would like to get a citizen from Chenequa on that committee. He said if the tree line is going to come down, then we should be extending the tree line now. He also questioned if the underground utility ordinance would apply to the State if they say they're going to move the poles and cut down 1,000 trees.

**Emergency Government Committee**

**Lake Management Ad Hoc Committee**

**Police Commission**

Trustee Wilkey gave an update on the new Fire & Rescue Department, saying it will be fully operational on January 1, 2010. The Fire Board is currently working on a budget for 2010 and selecting an attorney. She asked to have the Fire Board added to the list of Committee Reports on future agendas.

**Report of Village Administrator.**

Police Chief Douglas reminded Village Board members that the October meeting of the Board has been rescheduled for the 3<sup>rd</sup> Monday in October, which is October 19<sup>th</sup>.

**Report of Village President.**

No report.

**Report of Village Attorney**

No Report.

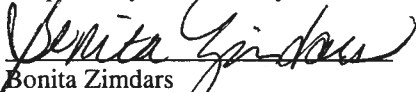
**Agenda items to be considered for future meetings of the Village Board.**

Trustee Seidel said she would like to be placed on a committee and is eager to help.

**Adjournment.**

Motion (Gehl, Seidel) to adjourn the September 14<sup>th</sup> meeting of the Village Board at 9:00 p.m., *Carried Unanimously.*

Respectfully submitted by:

  
Bonita Zimdars  
Clerk/Treasurer

Approved and Ordered Posted by:

  
Bryce Styza  
Chenequa Village President