

# VILLAGE OF CHENEQUA

CHENEQUA VILLAGE BOARD MEETING

MINUTES OF MONDAY, JULY 14, 2014.

Unofficial until approved by the Village Board.

Approved as written () or with corrections (  ) on 8-18-14.

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 6:30 p.m. on **Monday, July 14, 2014**, at the Village Hall, 31275 W County Highway K, Chenequa, Wisconsin. Legal requirements for notification of the news media were met.

**A public hearing to hear comments regarding the Special Assessment for the Improvement Project of Muscovy Road and that Portion of Pine Meadows Lane which is Owned by the Village of Chenequa was called to order at 6:30 p.m. Legal requirements for notification of the news media were met.**

Two residents from Muscovy Road were in attendance at the public hearing.

The following Village Board Members were in attendance:

Mr. Robert T. Foote, Jr. / President – present  
Ms. Jo Ann Villavicencio / Trustee – present  
Ms. Carol Manegold / Trustee – absent  
Ms. Dwyn von Bereghy / Trustee – present  
Mr. Bronson Haase / Trustee – present  
Mr. Robert Bellin / Trustee – present  
Mr. Helmut Keidl / Trustee – present  
Attorney David Krutz / Village Attorney – present  
Mr. Robert Douglas / Administrator-Police Chief – present  
Ms. Chloe Purton / Deputy Clerk – present

## **Attendance**

Chris Harned, Paul Konstant, Sonia Arminio, Mike Morrison, Tom Rolfs, Greg Budzien, Sarah Freiheit and Mike Steiner

The Board agreed to begin with Item 2 and then continue with the items on the agenda.

## **Presentation of appreciation for past Trustee Susan Wilkey**

Susan Wilkey was presented with a plaque in appreciation for her years of service as Trustee and for her tireless effort made for the Village of Chenequa with the Lake Country Fire and Rescue Board.

## **Public Comment**

Mr. Rolfs commented on noise complaints at evening residential events and the customary time to wind things down. This matter will be placed on next month's agenda for discussion and possible action.

**Public hearing comments regarding the Special Assessment for the Improvement Project of Muscovy Road and that Portion of Pine Meadows Lane which is Owned by the Village of Chenequa were then heard at 6:37 p.m.**

Administrator Douglas reported historical background for the public. For the past 10 years, Muscovy Road and Pine Meadows Lane has been slated for road improvement projects. In 2009, the Village Board addressed this matter primarily for Morris Drive and a Village Road Policy was adopted which included the three roads; Muscovy Road, Pine Meadows Lane and Morris Drive. These are public roads but primarily identified for private use. The Board went through the process of setting policy. The road policy states that the property owners who are benefactors of the village roads for ingress and egress to their homes would be assessed a ratio of 75% homeowner/25% Village. As part of the budget process for 2014, in 2013 all property owners on Muscovy Road and Pine Meadows Lane were notified of this budgetary project to repair/repave these roads. Notices were sent and estimates were given so resident might attend the November 10, 2013 Village Board meeting to voice their comments and concerns. Foth Engineering was hired for preliminary work and to put out bids for this project. Bids were received and opened.

**Summation of Q&A from Residents**

Two bids were received; Payne & Dolan and Wolf Paving

Lowest bid is usually awarded the contract

Assessment is set per one family/one tax key not by property owners nor size of lot

Assurance was given that the contractor would work on the proper grading to pitch the water flow south and not have a center crown on the road

Ms. Freiheit for the record requested frontage cost consideration vs by one family/one tax key

Ms. Freiheit for the record contested her portion for this assessment

Road improvement project will begin sometime between mid-August through October

**The public hearing was closed at 6:50 p.m.**

**Approve minutes of the June 9, 2014 Village Board meeting**

Motion (von Bereghy/Villavicencio) to approve Village Board minutes of meeting held on June 9, 2014. *Motion carried*

**Clerk/Treasurer**

**Present invoices for approval**

Motion (Villavicencio/Haase) to approve bills as presented. *Motion carried*

**Review and consider bids for the Muscovy Road and Pine Meadows Lane Improvement Project**

Administrator Douglas recommended a review of the Amended Administrator's Report dated July 10, 2014 for the road improvement project. It was amended to reflect the lowest qualified bid received and opened on July 9, 2014. The initial report was filed with the Village Clerk and contained plans and specifications for this paving project with an estimate of the cost. Both reports were available for the public. Bids were reviewed. The lowest qualified bid was awarded to Payne & Dolan.

**Consideration of Final Resolution Authorizing a Special Assessment for the Improvement Project of Muscovy Road and that Portion of Pine Meadows Lane which is Owned by the Village of Chenequa**

The Final Resolution (Resolution No. 2014-07-14-1) was reviewed. Motion (von Bereghy/Keidl) to authorize a special assessment for the road improvement project of Muscovy Road and that portion of Pine Meadows Lane which is owned by the Village of Chenequa as described in the Final Resolution. *Motion carried*

**Review of Elizabeth Harned-Quadracci Permit (5636 Pheasant Drive)**

President Foote advised the Board that the color of the roof is in question. The galvanized aluminum roof's color is not the color approved by the Trustees when the initial permit was granted. This evening, the Plan Commission met and took no action. The decision would be

made by the Trustees. The approval of the permit was based on the plans/drawings which showed a cedar shake looking surface, brown in color.

Mr. Konstant explained the conflicts with roof color/material per drawings and photo rendering. In one year, the galvanized aluminum roof would lose 35% of its reflective quality and would be more pewter in color as older cedar-shake roofs. Mr. Konstant did contact the manufacturer to see if there was any way to speed up the aging process. The warranty would be void if anything was applied to it.

Trustees voiced their opinions and concerns.

Attorney Krutz advised that the Village Board approved the permit based on the rendering from the lake. The rendering from the lake does not show what was constructed for the roof. Therefore, there is a conflict between the color of the roof compared to what was approved on the plans. The Village Board may vote as follows: “reject,” “comply” or “amend” as to the roof. The Village Board may also seek to put in place a Tolling Agreement, which would have to be mutual, by which both sides agree to hold the issue in abeyance for a period of time meaning both sides will wait and see and revisit this issue after a 6 month, one year, or two year period and determine if the roof color has changed.

Motion (von Bereghy/Keidl) to amend the permit so the galvanized aluminum roof will be in compliance. 4 Ayes 2 Abstain. *Motion carried*

#### **Review and consider sports field – 4800 N Pincrest Drive**

President Foote advised that this matter was put on the Plan Commission agenda and then it was realized that the Plan Commission has no responsibility because this is not a structure of any form. Neighbors objected to the traffic of machinery and equipment for this project. No permit as of yet has issued for this project.

Administrator Douglas shared the concerns of Mr. Girard’s neighbors. A 30-45 day grading permit will be issued with conditions. There will be no lights, press box, nor bleachers and all drainage will stay on the property.

#### **Preliminary / Final – Review and consider plans for the construction of a new residence submitted by Richard J Grunke and William A Grasch of 31982 W Treasure Island Drive**

President Foote reported that the Plan Commission pushed this back to the architect to resolve a question over the height of the building. Inspector Tising was not available tonight for the Plan Commission meeting so this matter could be resolved.

#### **Discussion on cell tower lease**

Trustee Bellin reported that there are two existing carriers on our tower. Two contracts/leases have been entered into to lease the land that the buildings are sitting on. Landmark Dividend approached the Village to take over these leases. Trustee Bellin did a present work analysis on the two submittals presented. The current present work analysis of the two contracts are \$361,362.31. Landmark Dividend gave us a buyout offer of \$338,250. This was a net difference of \$23, 112.31 (6.8% commission). The lease buyout is for 20 years. Original agreements on the leases were one 5-year period and then there were four 5-year extensions for each contract/lease. There is an estimator for each year. For US Cellular, they have a 5% annual increase each year of the previous year’s payment. Verizon has a 2% annual increase each year of the previous year’s payment. Contracts/leases can be renegotiated each cycle. A second company did submit paperwork for a buyout but they misread the terms of the agreement. Their offer was approximately \$200,000. Trustee Bellin recommended taking the buyout from Landmark Dividend.

Trustees Haase and von Bereghy will speak to additional contacts and report back next month.

**Review and consider approval of Resolution 2014-7-14-2 to Confirm Village Banking Process and Authority**

Attorney Krutz advised that we have been following this same process for years but this resolution confirms that we are adhering to the state statutes and making sure that in the event someone is not present we have enough people to sign checks.

Motion (von Bereghy/Villavicencio) to approval Resolution 2014-7-14-2 to Confirm Village Banking Process and Authority. *Motion carried*

**Review and consider rental of properties for the 2017 U.S. Open Golf Tournament**

President Foote advised he received an inquiry from an individual who is trying to find rental residences for the 2017 U.S. Open Golf Tournament which will be held at Erin Hills Golf Course. They are requesting that the Village temporarily amend its ordinance to allow residents to rent out their homes to players for one week during this tournament. Trustees agreed this was not something they wished to go forward on.

**Report on Village Garage Project**

Administrator Douglas reported that the walls are complete; steel columns, joist and metal deck are complete; exterior wood framing has begun; salt storage building foundation walls were poured; windows have been delivered; and roof trusses and stone veneer are scheduled for next week. There has been a delay in the under-slab plumbing drawings done which are provided to the State. They were submitted on June 19<sup>th</sup>. Unfortunately, we cannot move forward and order parts until plans have been approved by the State. The contract language was 180 days from the start date which was delayed from last fall to April, early May.

**Committee Reports**

- Public Safety** – no report
- Operations** – no report
- Plan Commission** – reported above
- Open Space** – no report
- Board of Appeals** – no report
- Personnel Committee** – no report
- Hwy 83 Task Force** – no report
- Emergency Government Committee** – no report
- Lake Management Committee** – no report
- Police Commission** – no report
- Lake Country Fire and Rescue Board** – LCF&R 2013 Annual Report in packet

**Report - Village Administrator**

- **Increasing algae occurrence in Pine Lake**  
Jeff Kante provided a memo on the increasing algae occurrence in Pine Lake. There are lake planning grants that the DNR suggested we might consider. Mr. Kante advised that the DNR would probably first focus their investigation on private septic systems around the lake. Possibly 8-10 dye tests/week as they worked their way around the lake to make their determination. This would be a shared grant up to \$10,000. We would need to apply by October 2014. Administrator Douglas also reminded the Trustees of another project that was being considered which was the repair of the Pine Lake boat launch bulkhead. President Foote suggested we wait one year to see what happens with the algae. This may have been a phenomenon that was related to last year's drought. The accumulation of nutrients from 2012 without any rain runoff onto the lake in the spring of 2013 flooded the lake with nutrients causing algae to bloom. This year there is still some residual. Algae's cycle is to bloom and then dissipate. Trustee Haase reported that there is grant money available for Lake Management Planning if you have taken the steps to have

a study done on your lake. Once the study has been completed grant money would be available. Administrator Douglas then commented that the final draft is done on the SEWRPC four-step Pine Lake study which included Beaver and North Lakes.

- Waste contract selection process  
Proposals were received and will be reviewed. This matter will be heard next month.
- Amplified Music  
Administrator Douglas requested direction from Trustees on how to proceed with events and time constraints for music/noise. It was decided to place this item on next month's agenda.

**Report - Village President**

- Second Amendment to Revolving and Term Credit Agreement  
This is an annual agreement that the Villages of Chenequa and Nashotah and the City of Delafield enter into each year. LCF&R will have a \$250,000 line of credit. Annual agreement was approved and signed.

**Report - Village Attorney**

None

**Additional comments**

Trustee Haase reported that today, an application for permits was filed to build a public access on STH 83 along the Oconomowoc River. Nothing will be done on the west side of the lake where the DNR purchased property.

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

- Amplified Music Permits
- Cell Tower Leases
- Waste Contract

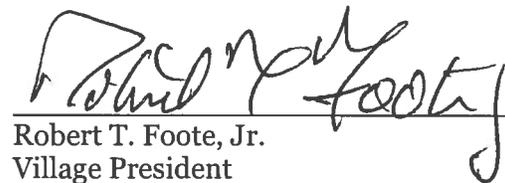
**Adjournment**

Motion (Haase/Villavicencio) to adjourn the meeting at 8:10 p.m. Motion carried

Respectfully submitted by:

  
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Pamela Ann Little  
Village Clerk - Treasurer

Approved and Ordered Posted by:

  
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Robert T. Foote, Jr.  
Village President