

# VILLAGE OF CHENEQUA

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, JUNE 8, 2015.  
Unofficial until approved by the Village Board.  
Approved as written () or with corrections ( ) on 7-1-15.

The regular meeting of the Board of Trustees for the Village of Chenequa was held at 6:44 p.m. on Monday, June 8, 2015, at the Village Hall, 31275 W County Road K, Chenequa, Wisconsin. Legal requirements for notification to the news media were met.

The following Village Board Members were in attendance:

Ms. Susan Wilkey / President – present  
Ms. Jo Ann Villavicencio / Trustee – present  
Ms. Carol Manegold / Trustee – present  
Ms. Dwyn von Bereghy / Trustee – absent  
Mr. Michael Pranke / Trustee – present  
Mr. Robert Bellin / Trustee – absent  
Mr. Helmut Keidl / Trustee – present  
Attorney David Krutz / Village Attorney – present  
Mr. Robert Douglas / Administrator-Police Chief – present  
Ms. Pamela Ann Little / Village Clerk – present

## **Pledge of Allegiance**

The Pledge of Allegiance was recited

## **Attendance**

Ted Stark and Judy Stark

## **Public Comment**

Ted Stark presented a proposal for a bike/walk/run path that would run parallel along the west side of CTH C from approximately Pauline's Wood Drive to Nashotah village limits (.7 miles). Mr. Stark had 25 residents sign the proposal and suggested the Jen Jensen bridle path which was designed in 1926 be used and improved for this purpose. Chairperson Wilkey requested this item be placed on next month's agenda so further follow-up can be done.

Agenda Item No. 5 heard next –

## **Presentation of Appreciation to Past President Robert T. Foote, Jr and Trustee Bronson Haase**

President Wilkey expressed her sincere appreciation to Bronson Haase by rereading into the records his Resolution of Appreciation. *Whereas Trustee Haase served as Village Trustee from April 2009 to April 2015 in a diligent and dedicated manner by devoting valuable time and personal attention to the work of this board and the duties of the Village Board on behalf of the citizens of Chenequa. Trustee Haase was instrumental in establishing the village's personnel committee in 2001. The citizens of Chenequa recognize and are deeply appreciative of his time and service contributed to the preservation and improvement of the quality of life in our community. The Village Board and the citizens of Chenequa express their profound gratitude to Trustee Haase for his loyal and faithful public service and this resolution will be spread upon the permanent records of the Village Board.*

Bronson expressed his sincere appreciation to the Board for having been given the trust and responsibility of the Chenequa residents to sit on the Board for three terms as Trustee. Bronson then shared some memorable moments –

Past President Robert Foote was unable to attend.

Agenda Item No. 9 was then heard next –

**Review and consider action on violation(s) of Village Ordinance 3.07(7)**

Administrator Douglas reminded Trustees how over last few months we have worked on updating our ordinance to be in compliance with state statues regarding abatement of public nuisances, such as oak wilt. We received our first challenge a few months ago from Mr. Edward Treis on Muscovy Road on whether or not we had the legal right to enter private property and address this issue. M/M Treis were again noticed of tonight’s meeting that the Board would be considering the tree that shows the effects of oak wilt and the Village Forester’s recommendation that the tree be removed. Mr. Kante was present. He then presented his report to the Board on the nuisance per Village Ordinance.

Forester Kante reported that in the last 10 years the village has taken an active approach on oak wilt nuisances. He reported that majority of our trees are red oaks which when stricken by oak wilt are usually killed within 4-12 weeks. Until Mr. Treis challenged this ordinance, we’ve had 100% compliance. Last September, M/M Treis were notified of the nuisance and advised the tree needed to be abated by March 1<sup>st</sup>. The tree was tagged, measured and given an ID number. The Treis’ did not remove the tree.

Attorney Krutz advised the Board that we did receive an email last week from Attorney Kathy Gutenkunst on behalf of M/M Treis stating that neither she nor her clients were able to appear this evening and they were requesting an adjournment of this matter. Attorney Gutenkunst stated that M/M Treis would prefer to resolve this issue outside a public meeting. Attorney Krutz reported that he advised Attorney Gutenkunst that since two notices were given on this issue that the Board was going to move forward. This morning he received another email from Attorney Gutenkunst’s assistant stating that she had an emergency medical procedure that was going to require her to be hospitalized this evening with an overnight stay.

Forester Kante advised on the condition of the tree and how at this point in the year it would not be advisable to remove the tree due to the fungus/insects possibly spreading the disease even more. Forester Kante will be meeting with a plant health specialist from the DNR on another property and would like to invite this specialist to attend the July Board meeting to present his assessment on the oak wilt nuisance. Forester Kante recommended that the Village wait until its July meeting for a decision on the abatement of the tree since there would be less likelihood of transmitting the disease that if the tree were removed in early summer.

Motion (Villavicencio/Manegold) to adjourn this matter until the July meeting of the Board; M/M Treis will have until seven (7) days before the July meeting to submit any written information or evidence they would like the Board to consider; both the Village Forester and M/M Tries will have an opportunity to be heard at the July Village Board meeting.

This item will be placed on next month’s agenda for further discussion.

**Approve minutes of the May 11, 2015 Village Board meeting**

Motion (Pranke/Keidl) to approve Village Board minutes of meeting held on May 11, 2015.

*Motion carried*

**Clerk/Treasurer**

**Present invoices for approval**

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

**Preliminary – Final Review and consider plans for a new home submitted by Denise Spusta of 6321 N Oakland Hills Road**

Administrator Douglas reported that the application proposes the razing of the existing dwelling and shed and to build a new single family residence. The new dwelling will be approximately 10,057 s.f. of which 8,341 s.f. will be living area. From a zoning perspective, this is a legal, conforming, 5 acre lot and meets all side yard setbacks. A landscape plan has been submitted. All neighbors were notified. The Plan Commission recommended final approval.

Motion (Pranke/Keidl) for approval of plans for a new home submitted by Denise Spusta of 6321 N Oakland Hills Road. Motion carried

**Review and consider revisions to Village Ordinance Chapter 5: 5.20(1)(a), 5.20(2), 5.20(3) and Chapter 6: 6.03(2), 6.03(26), 6.03(29), 6.05(c)(i) and 6.15(g)**

As discussed last month, Trustees reviewed another draft of the proposed changes to Chapters 5 and 6. Administrator Douglas reported on the following additions/changes.

Proposed changed to Chapter 5:

- 5.20(1)(a) defining a swimming pool as an outdoor *recreational facility* instead of a structure;
- 5.20(2) adding of new term *and recreational facilities*;
- 5.20(2)(d) proposed change: *Swimming pools, including required protective fencing and any decking and/or paving surrounding the swimming pool, shall not be separated from the primary residence*; and
- 5.20(3) adding: *Any decking and/or paving surrounding the swimming pool shall be considered an integral part of the swimming pool and shall comply with the applicable setback dimensions and placement restrictions.*

Proposed changes to Chapters 6:

- 6.03(2) to amend the definition of an accessory structure where the structure may now include a *toilet and/or sink*;
- 6.03(26) to remove *or toilet* from the definition of a nonconforming structure;
- 6.03(29) to include a new definition for *Recreational Facility*;
- 6.05(6)(c)(i) to add additional language under the Setback/Living Area Restrictions: *Recreational facilities in existence shall not prohibit a single family structure on an adjoining lot from building or remodeling inside the 100' setback of a recreational facility*; and
- 6.15(g) to remove the words *or toilet*.

There was further discussion regarding toilet facilities and changes recommended. President Wilkey advised that the Plan Commission did approve these changes.

Motion (Pranke/Keidl) to postpone consideration of changes to Village Ordinance Chapter 5: 5.20(1)(a), 5.20(2), 5.20(2)(d), 5.20(3); and Chapter 6: 6.03(2), 6.03(26), 6.03(29), 6.05(6)(c)(i) and 6.15(g).

Motion carried

This item will be placed on next month's agenda for further discussion.

**Review and consider amended Election Equipment Contract Governmental Agreement**

Clerk Little advised that the election equipment agreement had been updated per the memo from Norm Cummings, Director of Administration, Waukesha County. Two major changes were as follows: The agreement clarifies that the municipality retains 100% ownership of the new equipment; and the County will select a cellular carrier on behalf of each participating municipality to enable the modem to communicate with the County at the County's expense. Clerk Little recommended approval of the new agreement.

Motion (Villavicencio/Keidl) to approve the amended Election Equipment Contract Governmental Agreement. Motion carried

**Review and consider action on Resolution 2015-06-08-01 Addressing the Need for an Exception of Trans 75 Standards on WisDOT Project No. 1330-01-02**

Administrator Douglas reported that as discussed last month, the Wisconsin DOT in their planning process for the reconstruction of the intersection of STH 83 / CTH K, a formal resolution from the Village was needed to exempt sidewalks and bike lanes.

Motion (Villavicencio/Pranke) to approve Resolution 2015-06-08-01 Addressing the Need for an Exception to Trans 75 Standards on WisDOT Project No. 1330-01-02. *Motion carried*

**Review and consider renewal of Chenequa Country Club's liquor license covering the period July 1, 2015 through June 30, 2016**

Motion (Manegold/Keidl) to approve issuance of a liquor license to the Chenequa Country Club for the period July 1, 2015 through June 30, 2016. *Motion carried*

**Review and consider approval of four operator licenses as submitted by Chenequa Country Club for Raymond Bell, Taylor Covert, Earl Doran and Charles Luko**

Background checks were done on all applicants and no issues found.

Motion (Manegold/Pranke) to approve operator's licenses for Raymond Bell, Taylor Covert, Earl Doran and Charles Luko. *Motion carried*

**Review and consider alternate day for July Plan Commission and Village Board meetings**

President Wilkey proposed a new date for the next Village Board meeting due to a conflict and the holiday.

Motion (Pranke/Keidl) to move the next Village Board meeting to Wednesday, July 1, 2015 at 6:30 PM. *Motion carried*

**The Chenequa Village Board may enter into closed session pursuant to Wisconsin State Statute §19.85 (1) (g) confer with legal counsel and to hear advice concerning strategy which may be adopted with respect to litigation which the Village might become involved. Participating in the closed session will be the Village Board, Village Attorney, Village Clerk, and the Village Administrator**

No closed session

**Reconvene into open session and consider any action resulting from closed session**

No closed session

**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** – President Wilkey reported that Kevin Keith was offered the position and has accepted the offer pending further testing.

**Report - Village Administrator**

No report

**Report - Village President**

No report

**Report - Village Attorney**

Attorney Krutz advised the Village Board on the issues of allowing telephonic testimony at Board of Review hearing. The process will stand as is as no motion was made to change the current procedure which is to allow telephonic testimony.

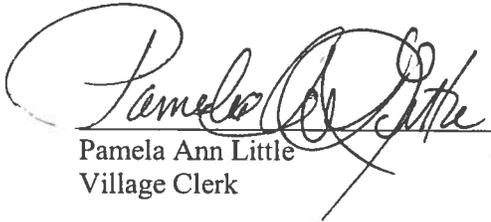
**Agenda items to be considered for future meetings of the Village Board**

- Violation of 3.07(7)
- Village Code Chapters 5 and 6
- Bike / Footpath on CTH C

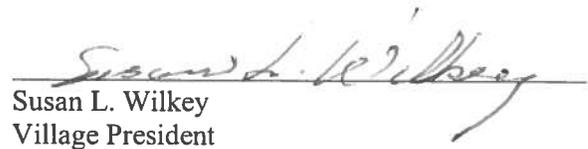
**Adjournment**

Motion (Pranke/Keidl) to adjourn the meeting at 7:47 PM. *Motion carried*

Respectfully submitted by:

  
Pamela Ann Little  
Village Clerk

Approved and Ordered Posted by:

  
Susan L. Wilkey  
Village President