

VILLAGE OF CHENEQUA

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, JANUARY 11, 2016.
Unofficial until approved by the Village Board.
Approved as written (✓) or with corrections () on 2-8-16.

The regular meeting of the Board of Trustees for the Village of Chenequa was held at 6:43 p.m. on Monday, January 11, 2016, at the Village Hall, 31275 W County Road K, Chenequa, Wisconsin. Legal requirements for notification to the news media were met.

Village Board Members were in attendance:

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

Pledge of Allegiance

The Pledge of Allegiance was recited

Attendance

Rich Weaver and John Yewer

Public Comment

Rich Weaver was given the opportunity to share his concerns regarding abatement of trees due to Oak Wilt. He would like us to reevaluate our procedures and how they are addressed to the residents. Last year, at Mr. Weaver's own cost, 12 trees were abated. No Oak Wilt was found. Attorney Gartner did advise there were legal and procedural issues. Our new arborist/forester will review procedures and adjust accordingly. Costs involved for testing Oak Wilt is very expensive and has a rate of 40% accuracy. In invoking this procedure, the Village determines if there is evidence that demonstrates that a particular tree or a particular group of trees is exhibiting signs of this disease and because of that they are a public nuisance.

Approve minutes of the December 14, 2015 Village Board meeting

Motion (Bellin/Keidl) to approve Village Board minutes of meeting held on December 14, 2015.

Motion carried

Clerk/Treasurer

Present invoices for approval

Motion (von Bereghy/Pranke) to approve bills as presented. *Motion carried*

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

Attorney Gartner advised that no action would be necessary. At the last Village Board meeting the Board held over the Dr. Weaver file for potential public hearing. Now that he has indicated that the trees are being removed, the only action would be to place this item on file pending future action by the Board later this year. The Chenequa ordinance is consistent with most other ordinances around the state. The

municipalities that are taking action are approaching this in a very similar fashion. The real policy issue is going to be how do you deal with the expense of coming up with new procedures and new approaches to this problem. Trustee von Bereghy would like us to work with surrounding municipalities to come up with a regional plan.

Update and discussion concerning options for the evaluation of internet service upgrades for the underserved areas of the Village

Administrator Douglas updated Trustees on an email received earlier today from Netwurx. Testing has been completed with mixed results. As indicated last month, thick vegetation is an issue. A few existing clients will be test sites for the new upgrade. This item will be kept on the agenda for further discussion next month.

Review and consider revision to location of new residence submitted by Chad and Janene Clark of 5162 N Maple Lane

Administrator Douglas advised that final approval on this project was done on August 10, 2015. The applicant then made a couple of revisions not only to the roof but to how the pool was laid out. A meeting was held between all interested parties and there was a concession made to move the AC unit to another area because of Mr. Barkow's concerns. Now that the owners want to change the way the house lays out on the lot by 15 degrees, the plans are being brought back to the Plan Commission and Village Board for consideration and approval. The applicants would like to move the AC unit to the far southwest corner of the house and tuck it in there. Mr. Barkow is not pleased with that decision. The distance from where the AC unit is proposed to the corner of Mr. Barkow's garage is 240'; and the distance from to the Barkow residence is approximately 300'. The applicant has agreed to put up some barrier fencing and landscaping to soften the AC unit sound. From a zoning standpoint, this revision meets all zoning requirements.

Motion (Pranke/Villavicencio) for final approval of revised changes made to the plans submitted by Chad and Janene Clark of 5162 N Maple Lane. *Motion carried*

Review and consider application for a shed submitted by Greg and Janelle Peterson of 31986 W Treasure Island Drive

President Wilkey reported that applicants are proposing to build a 9ft x 18ft (162s.f.) shed on an existing concrete slab. There will be no change in surrounding landscaping. There is more than 50ft from the proposed shed to any existing dwelling on the adjoining lot. The Plan Commission approved this application.

Motion (Bellin/Villavicencio) for approval of the application submitted by Greg and Janelle Peterson of 31986 W Treasure Island Drive. *Motion carried*

Review and consider changes in lake policies and what effect this may have on our zoning

Attorney Gartner explained that two separate property rights bills have been introduced that are working their way through the legislature that would have an impact upon lake properties. As they're currently written they don't appear to apply to towns or villages but with very minimal modifications that could change. These bills will be monitored each time there is a hearing and/or amendment. Even if they do not apply to the Village of Chenequa, they set precedent for future changes. The one that has the greatest impact is giving property owners the ability to remove up to 30 cubic yards of soil from the lake bed in front of their property. This could be a huge impact on particularly small lakes. Attorney Gartner believed it was probably intended for northern Wisconsin shallow lake property owners to dredge so they could get larger boats into their dock. There is a real potential for unintended consequences with a respect to a number of aspects of these bills. If anyone does have an interest in tracking these bills there is a legislative service that will allow you to register with the State, indicate the bills in which you have an interest, and then the State will submit periodic email updates so you can see what amendments are being made and watch those bills as they move through the hearing process. The recommendation was for Attorney Gartner and Administrator Douglas to

monitor the bills and keep the Board apprised of changes and to determine how best to proceed going forward particularly if the Board decides they want to be more formal in registering their objections with the State.

Administrator Douglas did reach out to Oconomowoc Lake on this matter. They are aware of the bills but are currently not proceeding in any manner.

President Wilkey encouraged Board members to contact their state representatives and express their concerns.

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

Attorney Gartner advised there was no need to go into closed session.

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

No closed session.

The Chenequa Village Board may enter into closed session pursuant to Wisconsin State Statute §19.85 (1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the government body has jurisdiction or exercise responsibility for the purpose of discussing wage and benefit matters. Participating in the closed session will be the Village Board, Village Attorney, Village Clerk, and the Village Administrator

Motion (von Bereghy/Villavicencio) to enter into closed session at 7:28 p.m. pursuant to Wisconsin State Statute §19.85 (1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the government body has jurisdiction or exercise responsibility for the purpose of discussing wage and benefit matters. von Bereghy (aye), Pranke (aye), Bellin (aye), Keidl (aye), Wilkey (aye), and Villavicencio (aye). *Motion carried*

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

Motion (Villavicencio/Keidl) to come out of closed session at 7:40 p.m. von Bereghy (aye), Pranke (aye), Bellin (aye), Keidl (aye), Wilkey (aye), and Villavicencio (aye). *Motion carried*

Discussion on regulating rental of properties on short term basis

Administrator Douglas reminded Trustees that there is no ordinance in place that would prohibit short term rental of residential properties. From a Village standpoint, the only way we would become involved is on a disorderly conduct or loud noise ordinance type of situation and address it at that time. Another piece of legislation that the State is contemplating is where no municipality may prohibit you from having an ordinance that would not allow you to rent your property out.

Attorney Gartner advised this has a seven day timeframe. The focus would be on rental cottages in again, northern Wisconsin as opposed to the short term rentals where people are coming in for a day or two and renting a home.

Review and consider appointment of David Myers to the Personnel Committee

Trustee von Bereghy reported that she asked David Myers to be the third representative on the Personnel Committee.

Motion (Villavicencio/Pranke) to approve the appointment of David Myers to the Personnel Committee. *Motion carried*

Committee Reports

Public Safety – no report

Operations – no report

Plan Commission – reported above
Open Space – no report
Board of Appeals – no report
Personnel Committee – reported in closed session and above
Hwy 83 Task Force – no report
Emergency Government Committee – no report
Lake Management Committee – Dwyn von Bereghy volunteered to chair this committee. Motion (Pranke/Bellin) to approve appointment of Dwyn von Bereghy as Chair of the Lake Management Committee. *Motion carried*
Police Commission – no report
Lake Country Fire and Rescue Board – Trustee Bellin reported on expenses and revenue to date. There were 76 calls in the Village for 2015 down from 2014 where we had 91 calls.
Consideration of 2-year appointments to LCF&R Board and LCF&R Commission - Motion (Bellin/von Bereghy) to appoint Martin Gallun to the LCF&R Board and to reappoint Rob Manegold to the LCF&R Commission. *Motion carried*

Report - Village Administrator

Administrator Douglas reported that the deer survey was done last week, counts were taken and those numbers were sent to the DNR. Permits should be issued shortly. There were approximately 175-180 within Village limits and the count jumped significantly (250) when looking out ½ to 1 mile outside our border.

Report - Village President

No report

Report - Village Attorney

No report

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

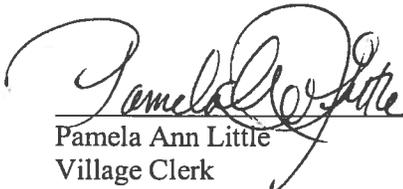
- Update on internet services

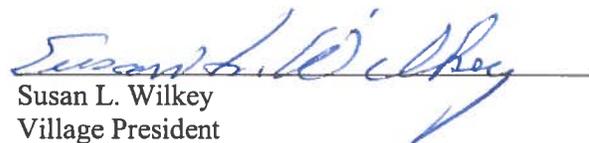
Adjournment

Motion (von Bereghy/Villavicencio) to adjourn the meeting at 7:57 pm. *Motion carried*

Respectfully submitted by:

Approved and Ordered Posted by:


Pamela Ann Little
Village Clerk


Susan L. Wilkey
Village President