

VILLAGE OF CHENEQUA

CHENEQUA VILLAGE BOARD MINUTES
OF MONDAY, NOVEMBER 12, 2018.
Unofficial until approved by the Village Board.
Approved as written (✓) or with corrections () on 12-10-18.

A meeting of the Board of Trustees for the Village of Chenequa was held at 6:30 p.m. on Monday, November 12, 2018, at the Village Hall, 31275 W County Road K, Chenequa, Wisconsin. Legal requirements for notification were met. Members in attendance:

Ms. Jo Ann Villavicencio / Village President – present
Ms. Carol Manegold / Trustee – present
Mr. Michael Pranke / Trustee – present
Mr. Robert Bellin / Trustee – present
Mr. Helmut Keidl / Trustee – present
Mr. John Syburg / Trustee – present
Mr. David Myers / Trustee – present
Mr. Lincoln / Forester - present
Attorney Luljak / Village Attorney – present
Mr. Douglas / Village Administrator-Police Chief – present
Ms. Little / Village Clerk – present

Call to Order
Pledge of Allegiance

Attendance

Marc Lauret and Jason Luther

The Public Hearing portion of the meeting was called to order at 6:30 p.m.

Public Hearing: *2019 Budget for the Village of Chenequa*

Matter: The purpose of the public hearing is to accept public comment on the proposed 2019 Budget for the Village of Chenequa

Public Comment on the 2019 Village of Chenequa Budget

No public comments were received.

Adjourn the Public Hearing

Motion (Pranke/Syburg) to close the public hearing portion of this meeting at 6:32. *Motion carried*

Public Comment

None

Approval of minutes from the Village Board meeting held on October 8, 2018

Motion (Bellin/Keidl) to approve the minutes from the Village Board meeting held on October 8, 2018. *Motion carried*

Approval of Invoices

Motion (Keidl/Syburg) to approve invoices as presented. *Motion carried*

Agenda Item 8 was then heard:

Discussion and consider action on violation(s) of Village Ordinance 3.07(7) Notice to Abate Public Nuisances; Resolution No. 2018-11-12-01

Forester Lincoln reported that 36 trees have been identified with oak wilt. A list of infected trees that were discovered during the oak wilt monitoring process was provided. Of the five lab samples sent in for testing, three came back positive for oak wilt. Initial notices were sent by certified mail to residents. GPS coordinates were attached to each tree which assists residents in locating the infected tree. In Forester Lincoln's opinion, the infected trees present a tremendous hazard to the health and aesthetics of the remaining forestland in Chenequa and are a public nuisance. Forester Lincoln recommended abatement notices be sent to residents listed on Attachment A with a removal deadline of February 20th with an optional time extension.

The proposed resolution summarizes the findings that historically have been made by the Village Board by motion when considering action on oak wilt public nuisance findings. Forester Lincoln's findings are in the resolution.

Motion (Keidl/Manegold) to approve Resolution Relative to the Finding of a Public Nuisance with Respect to the Existence of Oak Wilt upon Certain Properties Located in the Village of Chenequa and Ordering Abatement of such Public Nuisance. *Motion carried*

Review and consider application for a new single family residence submitted by Brian Gilmore of Gilmore Builders for 31406 N State Highway 83 (Tax Key No. CHQV 0420 008)

Motion (Syburg/Pranke) to approve the application for a new single family residence submitted by Brian Gilmore of Gilmore Builders for 31046 N State Highway 83 (Tax Key No. CHQV 0420 008) pending final review of the coach lights. *Motion carried*

Review and consider application to raze and reconstruct a garage submitted by Dixon and Herta Benz of 5223 N State Highway 83

Motion (Bellin/Pranke) to approve the application to raze and reconstruct an attached garage submitted by Dixon and Herta Benz of 5223 N State Highway 83. *Motion carried*

Review and consider action on a Certified Survey Map submitted by Mark & Heidi von Hagke of 32753 W Oakland Road (CHQV0403996) and Ernest and Meloney Kubick of 32695 W Oakland Road (CHQV0403995)

Motion (Keidl/Pranke) to approve the Certified Survey Map submitted by Mark & Heidi von Hagke of 32753 W Oakland Road (CHQV0403996) and Ernest and Meloney Kubick of 32695 W Oakland Road (CHQV0403995). *Motion carried*

Review and consider revisions to Village Code Section 6.3(2) Definition of Accessory Structure as it relates to showers and bathroom facilities; and Section 6.7(4)(i) Modifications to Legal Nonconforming Structures – Modification during its lifetime by an amount not to exceed a thirty (30) percent increase in either footprint or living area, whichever is less

Administrator Douglas reviewed discussions held last month regarding the ability for accessory structures to have a pool, hot tub, sauna and/or bathroom facilities. This would not involve boathouses. Attorney Gartner modified the definition of an accessory structure contained in Village Code Section 6.3(2), to omit and replace the words *a toilet and/or sink to bathroom facilities and indoor recreational facilities* and to propose a new definition for indoor recreational facilities in Village Code Section 6.3(22): *Indoor Recreational Facilities: Exercise rooms and equipment, ball courts, hot tubs, saunas and steam rooms,*

swimming pools and similar facilities or equipment for personal leisure activities. This change would address the ability to use an accessory structure for such purposes. These types of accessory structures would not be within the 75 foot setback area. The acknowledgment form for accessory structures was also edited to include zoning code penalties under Village Code Section 6.10(1) which provides for a fine of \$2,500/day for each day of violation.

Last month, Village Board trustees also discussed legal non-conforming structures, such as when part of a residence is within the 75 foot setback. The Village Code states that you cannot increase the structure any more than 30% in footprint or living area, whichever is less, over its entire lifetime. Attorney Gartner drafted a proposal that would eliminate the 30% rule. In the future, any expansion behind the 75 foot mark could be done without limit to the size of the increased footprint so long as the new addition complies with all side yard setbacks and zoning requirements. These changes are intended to preserve older homes and to provide such owners with expansion rights consistent with property owners who construct new homes. Any ambiguous proposals that fail to meet the new restrictions verbatim will need to request a variance from the Board of Appeals. Further discussion will continue next month.

Review and consider action on establishing Ward No. 2 for the Village of Chenequa; Resolution No. 2018-11-12-02

Clerk Little advised that last month, Village owned land adjacent to the public works property which was located in the Town of Merton was annexed and attached to the same public works property. After the annexation, it was determined that a new ward had to be created due to the county supervisory district of the annexed property being different.

Motion (Bellin/Syburg) to establish Ward No. 2 for the Village of Chenequa. *Motion carried*

The Chenequa Village Board may enter into closed session pursuant to Wisconsin State Statute §19.85 (1) (c) for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental 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 and the Village Administrator

Motion (Manegold/Syburg) to go into closed session at 7:01 pm. Syburg (aye), Manegold (aye), Pranke (aye), Bellin (aye), Keidl (aye), Villavicencio (aye) and Myer (aye). *Motion carried*

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

Motion (Syburg/Manegold) to come out of closed session at 7:05 pm. Syburg (aye), Manegold (aye), Pranke (aye), Bellin (aye), Keidl (aye), Villavicencio (aye) and Myer (aye). *Motion carried*

Motion (Pranke/Keidl) to approve salary adjustments as presented and recommended by the Personnel Committee. *Motion carried*

Review and consider action on the 2019 Budget and Tax Levy for the Village of Chenequa; Resolution 2018-11-12-03

Administrator Douglas presented the final draft of the 2019 Village Budget for review and consideration. A memo was provided to the Board regarding the minor revisions that were made from last month's proposal. These changes include transportation aid reductions by the state; and the Chenequa Foundation's commitment to fund the purchase of new AEDs for the Village.

Motion (Pranke/Myers) to adopt the 2019 Budget and Tax Levy (Levied Amount: \$1,952,226; Tax Base: \$484,378,100; and Tax Rate \$4.03037627) for the Village of Chenequa. *Motion carried*

Review and consider donation of undeveloped parcel of land owned by John Taylor; Resolution No. 2018-11-12-04

Administrator Douglas updated Village Board trustees on the status of the land donation by John Taylor (1.196 acres that runs adjacent to STH 83, south of the Beaver Lake Launch). To further protect the property, a conservation easement agreement with Tall Pines Conservancy was prepared. Tall Pines Conservancy would have oversight and the ability to enforce the conservation easement agreement. The paperwork is close to final form. Tall Pines Conservancy and John Taylor have yet to review and sign the document. If any changes or revisions are needed, the matter will be brought back before the Board next month.

Motion (Keidl/Bellin) to authorize the execution of a Conservation Easement affecting lands owned by the John W Taylor Revocable Trust and authorizing acceptance of the donation of lands adjacent to the Beaver Lake Launch from the John W Taylor Revocable Trust. *Motion carried*

Review and consider action on approving the Suburban Mutual Assistance Response Teams Agreement; Resolution No. 2018-11-12-05

Administrator Douglas reviewed the Suburban Mutual Assistance Response Teams (S.M.A.R.T.) Agreement. Milwaukee, Waukesha, Walworth, Racine and Kenosha Counties are all part of S.M.A.R.T. (approximately 50 communities are involved). Through the years this team has grown tremendously. If a catastrophic event occurred, resources are pulled (as many as needed) from each municipality/county. This protects the resources of all neighboring agencies so operations could be continued in their communities. The agreement has been updated due to the numerous changes over the years. The League of Wisconsin Municipalities and Cities and Villages Mutual Insurance Company have reviewed the agreement to ensure that the language protects all municipalities from liabilities.

Motion (Myers/Manegold) to adopt the Resolution approving the S.M.A.R.T. Agreement. *Motion carried*

Review and consider action on an Ordinance Approving the Recodification of Chapter 3: Land by Amending and Restating Chapter 3 of the Village Code; Ordinance No. 2018-11-12-01

This agenda item will be deferred to the December agenda.

Consider appointments to the Board of Review, Highway 83 Task Force & Operations Committees

Motion (Manegold/Syburg) to appoint Helmut Keidl to the Board of Review Committee; Bob Fiedler to the Highway 83 Task Force Committee; and Judy Hansen to the Operations Committee. *Motion carried*

Committee Reports

Lake Country Fire & Rescue Board – Trustee Bellin reported on service calls, revenues, and expenses.

Report – Village Forester

Reported above.

Report - Village Administrator

Administrator Douglas submitted a written report on donations.

Taylor Land Donation Reported above.

Donations The Village of Chenequa is a member of the Suburban Critical Incident Team (SCIT) a/k/a SWAT. Nine communities in Waukesha County are part of this team. For the 2019 SCIT budget process, the team needed a transport van to move personnel to a scene. The SCIT budget simply did not allow such an expense and would not for at least the next three (3) years. Mr. Boucher was approached and asked if he and some of his Chenequa contacts may be able to raise the funds needed for this van purchase. Mr. Boucher found donors who raised \$22,500 of the \$35,000 needed. Two other residents were approached and they contributed the

additional monies needed to complete this purchase. The van will be an excellent asset for team operations moving forward. Thank you to the generosity of our residents who supported this effort.

Report - Village President

No report

Report - Village Attorney

No report

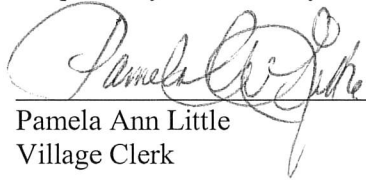
Agenda items to be considered for future meetings of the Village Board

- Updating Section 3 of the Village Code
- Updating Section 6.3(2) and 6.7(4)(i) of the Village Code

Adjournment


Motion (Syburg/Keidl) to adjourn the meeting at 7:22 pm. *Motion carried*

Respectfully submitted by:



Pamela Ann Little
Village Clerk

Approved and Ordered Posted by:



Jo Ann Villavicencio
Village President