

## Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, SEPTEMBER 12, 2011  
Unofficial until approved by the Village Board  
Approved as written (✓) or with corrections ( ) on 10-10-11

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:00 p.m. on Monday, September 12, 2011, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met.

Following is the attendance list:

Mr. Robert T. Foote, Jr. / President – present  
Ms. Jo Ann F. Villavicencio / Trustee – present  
Ms. Susan Wilkey/ Trustee – present  
Mr. Bronson Haase / Trustee – present  
Mr. Jack MacDonough/ Trustee – present  
Ms. Carol Manegold/ Trustee – present  
Ms. Dwyn Von Bereghy / Trustee – present  
Attorney Susan Sager / Village Attorney - present  
Mr. Robert Douglas / Administrator -Police Chief – present  
Ms. Bonita Zimdars / Clerk-Treasurer – present

### Attendance

None.

### Public comment period

None.

### Approve minutes of the August 8, 2011 Board Meeting.

Motion (MacDonough, Villavicencio) to approve the minutes of the August 8, 2011 Village Board meeting, *Carried Unanimously.*

### Clerk/Treasurer

#### Present invoices for approval.

Trustee Haase asked what price was received on the sale of the fire engine. Administrator/Police Chief Douglas told him \$65,000 was the selling price. Next Trustee Haase questioned the billing for testing of red oak. He wanted to know why the village paid for this expense. Administrator/Police Chief Douglas told him in order to know positively a tree is a victim of oak wilt, the village does the testing. With that positive test result the village can then impose our ordinance to remove the diseased tree. The new door lock security system was also discussed.

Motion (MacDonough, Haase) to approve the bills as presented, *Carried Unanimously.*

### Report on Investment activity.

Investments were reviewed. It was noted that in August the village received a tax settlement of \$486,641.01. Also the library tax was discussed. No action was taken.

### Preliminary/ Possible Final: Review and consider plans submitted by Steve Girard for an accessory structure on his property located at 4800 N. Pinecrest Drive.

President Foote reviewed the project and noted that the Plan Commission had given final approval at an earlier meeting. He said the owner is proposing a large storage building on Pinecrest Drive. It was also noted that the residents do not want Pinecrest Drive to be used for construction purposes and thought the proposed structure was too high. Trustee VonBereghy asked whether or not the existing structure would be torn down, and President Foote told her it would not.

Motion (MacDonough, Villavicencio) to give final approval to plans submitted by Steve Girard for an accessory structure on his property located at 4800 N. Pinecrest Drive, *Carried Unanimously.*

### Preliminary/ Possible Final: Review and consider plans submitted by Brian Gillstrom for an accessory structure on his property located at 5478 N Hwy 83.

President Foote explained that this project was given final approval at the Plan Commission meeting earlier in the evening.

Motion (Haase, VonBereghy) to give final approval to Brian Gillstrom on plans for an accessory structure on his property located at 5478 N Hwy 83, Carried Unanimously.

**Review and consider Certified Survey Map submitted by Timothy H. and Judith J. Fredman, James L. and Sheila G. Ochowicz, and Phillip and Karen Sonderman being a part of the NW ¼ of Sec. 27, T8N, R18E, Town of Merton, Waukesha County, per Village Code 6.18 extraterritorial jurisdiction.**

President Foote explained that this was simply a correction to an error made by a previous surveyor and both Waukesha County and the Town of Merton had already given their approval.

Motion (MacDonough, Villavicencio) to give approval to CSM as described above, Carried Unanimously.

**Consider recommendation regarding the Extra Territorial Zoning ad-hoc committee made by the Chenequa Plan Commission.**

President Foote discussed the recommendation made by Bill Biersach. He said there was little Chenequa could effect on the east side north to Hartland, but there was some land to the West of North Lake that is zoned agricultural. The recommendation by the Plan Commission was to contact Merton so Chenequa will know in advance of any zoning changes. Mr. Keidl, Mr. Pranke, President Foote, Mr. Biersach and Administrator/Police Chief Douglas will meet with Merton.

**Discussion on Chapter 6 Zoning and removal of trees within the 75' setback area language. Historical recap of when and how the ordinance came to be.**

President Foote said this was brought up by Trustee Manegold at the August meeting of the Village Board. He said the issue appears not to have been addressed by the AdHoc committee. He said we have a well-intended ordinance that needs to be touched up. He then suggested turning this back over to the AdHoc committee for further clarification. Administrator/Police Chief Douglas said he shared these concerns with Forester Kante, and said he cannot tell Jeff *not* to enforce the ordinance. He said Jeff is now looking at language used by the DNR and Waukesha County. Administrator/Police Chief Douglas asked the Board to first allow Forester Kante to do some preliminary work before reforming the AdHoc committee. Trustee Manegold asked if there was any room for flexibility. She also asked if shoreline restoration could be an option. Trustee Haase said he hears the opposite, with people asking why this can't be rectified. President Foote said there is a desire to preserve the shore and also preserve the property. Trustee Manegold pointed out that those who own a flat lot are not subject to the same hardships as those building on a hill. She said this accentuates the discrimination. Administrator/Police Chief Douglas said a permit is required for clearing buckthorn, and the property should be photographed ahead of time. Trustee Haase said you are opening a can of worms when you discuss shoreline. Trustee Wilkey asked if the DNR had any input, and Administrator/Police Chief Douglas told her DNR regulation starts at the water's edge. Trustee Von Bereghy suggested that most people don't realize what the ordinances say. President Foote said the ordinance should live up to the spirit of the law, but it should be made practicable as well. Trustee Manegold asked how this problem was handled on North Lake and Beaver Lake. Administrator/Police Chief Douglas told her it was handled poorly, by the County. He said he would have Forester Kante give an update at the October meeting and propose some language to make the ordinance more practical especially for shoreline that is very steep and heavily wooded.

**Committee Reports**

**Public Safety** – will meet soon.

**Operations** – will meet soon.

**Plan Commission** – met earlier.

**Open Space** – no report.

**Board of Appeals** – no report.

**Personnel Committee** – will meet September 28<sup>th</sup> at 9:00 a.m.

**Hwy 83 Task Force** – met to express concerns and desire of Village to have truck traffic moved from Hwy 83.

**Emergency Government Committee** – no report.

**Lake Management Ad Hoc Committee** – no report.

**Police Commission** – no report

**Lake Country Fire and Rescue Board** – Annual meeting last Thursday. Reported on annual budget. Budget is getting better each year. Another community has shown interest in joining the department. LCFR will be receiving an award from the County. Trustee Wilkey reported there are currently 57 paramedics with LCFR.

**Review and consider adoption of a grievance procedure for the Village of Chenequa employees.**

Administrator/Police Chief Douglas said this is required as a result of Acts 10 and 32 – the budget repair bills. Any unionized employee had bargaining rights taken away as a result of the passage of these bills. He pointed out this policy was formulated to be vague. By adopting this policy prior to October 1<sup>st</sup>, the Village will be in compliance with state statute. President Foote asked what would happen if someone came back a year later and Attorney Sager told him the village has a policy and procedures, so the framework is in place. President Foote asked if there was a specific timeframe in relation to filing a grievance. Attorney Sager told him there was not.

**Report of Village Administrator.**

Administrator/Police Chief Douglas said the Board will have the first look at the 2012 budget at the October Board meeting.

**Report of Village President**

No report.

**Report of Village Attorney**

No report.

**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 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 (Foote, MacDonough) to go into closed session at 7:42 p.m., MacDonough (aye); Foote (aye); Villavicencio (aye); Wilkey (aye); Manegold (aye), Haase (aye), Von Bereghy (aye), Carried Unanimously.

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

Motion (MacDonough, Wilkey) to move out of closed session and reconvene into open session at 8:09 p.m., Carried Unanimously.

**The Chenequa Village Board may enter into closed session pursuant to Wisconsin State Statute §19.85 (1) (e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Participating in the closed session will be the Village Board, Village Attorney and the Village Administrator.**

Motion (MacDonough, Manegold) to go into closed session at 8:10 p.m., MacDonough (aye); Foote (aye); Villavicencio (aye); Wilkey (aye); Manegold (aye), Haase (aye), Von Bereghy (aye), Carried Unanimously.

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

Motion (MacDonough, Villavicencio) to move out of closed session and reconvene into open session at 8:28 p.m., Carried Unanimously.

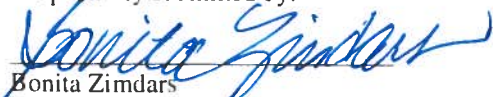
**Agenda items to be considered for future meetings of the Village Board.**

None.

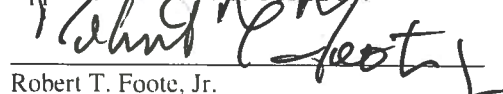
**Adjournment.**

Motion (MacDonough, Villavicencio) to adjourn the September 12<sup>th</sup> meeting of the Village Board at 8:29 p.m., Carried Unanimously.

Respectfully submitted by:

  
Bonita Zimdars  
Clerk/Treasurer

Approved and Ordered Posted by:

  
Robert T. Foote, Jr.  
Chenequa Village President