

Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, DECEMBER 14, 2009  
Unofficial until approved by the Village Board  
Approved as written ( ) or with corrections (X) on 1-11-2010

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:30 p.m. on Monday, December 14, 2009, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met.

Following is the attendance list:

Ms. Villavicencio / Interim President – present  
Ms. Seidel / Trustee – present  
Mr. Gehl / Trustee – present  
Mr. Foote / Trustee – present  
Ms. Wilkey / Trustee – present  
Mr. Haase / Trustee – present  
Attorney David Krutz / Village Attorney – present  
Attorney Susan Sager / Village Attorney - present  
Mr. Douglas / Administrator -Police Chief – present  
Ms. Zimdars / Clerk-Treasurer – present

**Attendance**

Rod Stotts, Fire Chief Jack Edwards, Tom Rolfs, Paul Villavicencio

**Consider approval for the Lake Country Fire Rescue Board to enter into a lease agreement with City of Delafield for personnel.**

Interim Village President JoAnn Villavicencio asked to take item 9 out of order in order to give the Fire Chief and Rod Stotts an opportunity to be heard prior to the other business of the Board. Mr. Stotts told the Trustees they had been given a copy of a letter that was received from the Employee Trust Funds. This letter was notification to the newly formed Lake Country Fire & Rescue that the application they submitted had been denied. Although the application was virtually identical to other communities which had been accepted by ETF, for some reason, the application submitted by Lake Country Fire & Rescue was denied. Applications are considered only once annually, so the department would have to wait another year before submitting another application. Mr. Stotts said a solution to this problem would be to lease employees from the City of Delafield for one year. He said this was the only option available. As the agreement is worded, on page 11, the one sentence paragraph allows the Fire Board to enter into leases with the permission of the municipality. Trustee Haase asked the reason for the disqualification by ETF, and asked how the situation could be corrected. Mr. Stotts suggested that basically, the application was rejected based on the fact that LCFR is not a taxing authority. Trustee Wilkey asked how many fire fighters would be affected. Fire Chief Edwards said there are 10 fulltime, and 12 part time employees and all would be affected. Trustee Seidel said it sounded like the taxing authority issue was a problem and suggested that problem wouldn't go away. Mr. Stotts said the one year time frame would give the department time to work out a solution. He said that Delahart had been accepted into WRS, and North Shore was organized in a similar fashion and has been in WRS for ten years.

**Review and consider resolution to void the former Lake Country Fire contract.**

Motion (Seidel, Haase) to adopt resolution 2009-12-14-02 rescinding the former Lake Country Fire contract, *Carried Unanimously.*

Motion (Seidel, Gehl) give approval to the Lake Country Fire Rescue Board to enter into a lease agreement with the City of Delafield for personnel. Trustee Seidel asked for the legal counsel to give their opinion. Attorney Krutz said the agreement should be checked on a monthly basis. *Carried Unanimously.*

**Consider agreement with the City of Waukesha for technical rescue services agreement.**

Chief Edwards explained that technical rescues can be described as those which are high risk, low occurrence rescues. The City of Waukesha has training to be prepared to handle these types of occurrences. He went on to say that this agreement is with the municipality, not the fire department. Chief Edwards said for payback purposes, the billing would be from the city. Chief Edwards said this would be a great benefit for all at a minimal cost. Attorney Krutz noted the indemnification clause would mean if there was a claim, the Village would be covered.

Motion (Wilkey, Gehl) to approve the agreement with the City of Waukesha for technical rescue services, subject to approvals needed, Carried Unanimously.

**Public comment period**

None.

**Approve minutes of the November 9, 2009 Board Meeting.**

Trustee Gehl noted one correction to the minutes of November 9<sup>th</sup>. He voted “no” on the acceptance of the 2010 Chenequa Village budget.

Motion (Wilkey, Haase) to approve the minutes of the November 9, 2009 Board meeting, subject to the correction as noted by Trustee Gehl, Carried Unanimously.

**Clerk/Treasurer**

**Present invoices for approval.**

Trustee Foote questioned the entry for \$674.00 for salt pellets. Administrator/Police Chief Douglas told him this salt was for use around the Village Hall.

Motion (Foote, Seidel) to approve the invoices as presented, Carried Unanimously.

**Report on Investment activity.**

Investments were reviewed, no action was required.

**Review, consider and take action on the filling of the vacancy of Village President.**

Interim President Villavicencio requested opinions from Board members as to how they would like to proceed and suggested the Board consider a special election. Trustee Seidel said she wanted to talk about an opportunity for an interim president, since typically that person stays in office until they no longer wish to serve. Trustee Gehl asked how the vacant trustee seat would be filled. Attorney Krutz said the Village Board could appoint someone to serve out the remaining time on the Trustee seat or set a special election. Trustee Wilkey asked if other residents other than trustees would be able to take out papers to run for president. Trustee Seidel said if someone were appointed to fill out the remainder of Bryce’s term, then there would be no need for a special election in April. Trustee Foote said he felt it would be problematic for someone to pull things together at the last minute. He suggested there would be more stability to the Board by appointing someone tonight. Trustee Haase said for a person to have experience serving on the Board would be an asset for anyone serving as President. He then asked that anyone who was interested in serving as Village Board President make that interest known. Each Trustee answered, and Trustee Foote and Interim President Villavicencio both indicated their interest in serving as President of the Chenequa Board of Trustees.

Motion (Gehl, Seidel) to appoint a present Trustee to fill out the remainder of Bryce Styza’s term and forgo holding a special election to fill the seat. Further discussion was held and the Motion was rescinded by Trustee Gehl. Trustee Haase said he would like to hear from both candidates as to why they would like to run for President. Trustee Foote said he has been involved with the Village since 1944 and is a longtime resident. He said the involvement began in 1970, and he has been a fulltime resident since 1971. He had served on the Operation Committee in the 1970s, and later he served on the Police and Fire Commission. Most recently he has served as Village Trustee and is also a member of the Chenequa Plan Commission. He is a graduate of Cornell University and obtained his MBA from Chicago. He said he has had plenty of exposure to business and would like to run for President to give something back to the Village of Chenequa.

Next Trustee Villavicencio spoke, saying her family has been involved with the Village of Chenequa since 1886, saying it was her Grandfather that walked around the lake one very hot summer to collect deed restrictions to allow the protection of the properties as they were, restricting development. She graduated from George Washington University in Washington, DC and received her MBA degree from the Thunderbird, School of Global Management in Arizona. She has been involved with Village Government since 1993-94, serving on many committees. She said she would like to see the Village continue as it is currently known and loved. She said she is committed to the Village and if she were chosen she would put forth her best effort on all issues.

Motion (Seidel, Gehl) to have the Village Board appoint a person to finish out the term of Bryce Styza as president. Next Trustee Wilkey asked what would happen if Trustee Foote would run on a ballot as President, but his Trustee seat would also be up for reelection. Attorney Sager told her this would be a non-partisan election, so he would be allowed to run for both positions. Foote (aye); Haase (aye); Seidel (aye); Gehl (aye); Wilkey (no); Villavicencio (no), Motion Carries.

Motion (Gehl, Seidel) to appoint Trustee Foote as President for the remainder of Bryce Styza’s term through April of 2011, Foote (aye); Haase (aye); Seidel (aye); Gehl (aye); Wilkey (aye); Villavicencio (no), Motion Carries.

**Review and consider adoption of resolution 2009-12-14-01, which amends section 8.05 of the Village code regarding firearms.**

Administrator Douglas said the 2<sup>nd</sup> amendment gives the right to bear arms. The State Attorney General came out with an opinion to carry in the open, so the former Chenequa firearm ordinance would be in conflict with State and Federal law. Trustee Seidel clarified - saying this means allowed to carry, but not allowed to shoot.

Motion (Gehl, Haase) to adopt resolution 2009-12-14-01 which amends section 8.05 of the Village code regarding firearms, *Carried Unanimously.*

**Lake Country Municipal Court**

- a) Review and consider Resolution 2009-12-14-02, which approves the Municipal Court Budget for 2010.
- b) Review and consider amendment to an ordinance which established the Lake Country Municipal Court.
- c) Review and consider Successor Agreement for the operation of the Lake Country Municipal Court.

President Foote asked Administrator Douglas to give an explanation for each of the three bullet points being considered. Administrator Douglas said the Lake Country Municipal Court has been very solvent for some time. There is a fund balance of \$690,000.00. He said that in 2009 the budget wasn't met, due in part to arrests being down; also people are driving more conservatively and the incident of those receiving citations but not paying them has increased. He went on to say that court fines have not increased in 10 years. In the State Legislature there is a bill to increase fees. President Foote asked how the Court makes up the difference, and Administrator/Police Chief Douglas told him it was taken from reserves.

Motion (Haase, Wilkey) to approve resolution 2009-12-14-02 which approves the Municipal Court Budget for 2010, *Carried Unanimously.*

Administrator / Police Chief Douglas said the amendment to the ordinance was necessary to clean up the original contract. Attorney Sager said that all communities needed to approve the amendment.

Motion (Gehl, Wilkey) to approve the amendment to an ordinance which established the Lake Country Municipal Court, *Carried Unanimously.*

Attorney Sager said the Successor Agreement is an update of the original agreement, and has been reviewed by Attorney Krutz.

Motion (Gehl, Seidel) to approve the Successor Agreement for the operation of the Lake Country Municipal Court, *Carried Unanimously.*

**Review and consider appointment of election inspectors for the 2010-2011 term.**

Motion (Haase, Seidel) to appoint the submitted list of election inspectors for the 2011-2011 term, *Carried Unanimously.*

**Committee Reports**

**Public Safety** – no report.

**Operations** – no report.

**Plan Commission** – did not meet in December.

**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 Ad Hoc Committee** – no report.

**Police Commission** – no report

**Lake Country Fire and Rescue Board** – no report.

**Report of Village Administrator.**

Administrator/Police Chief Douglas said the first major snowfall of the season went well, with no major equipment breakdowns.

**Report of Village President.**

No report.

**Report of Village Attorney**

Attorney Krutz said that he and Attorney Sager will continue to double team for the Village of Chenequa.

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

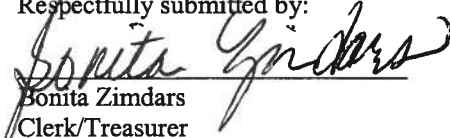
Trustee Seidel said that in last month's meeting the budget was approved, but the issue of salaries was never discussed, and she was wondering if separate approval would be needed. She noted the November agenda included a closed session item, but the Board never went into closed session. Administrator/Police Chief Douglas said the budget included the salaries, and that was not considered separately.

Attorney Krutz said that January's agenda should have an appointment for Trustee Foote's seat.

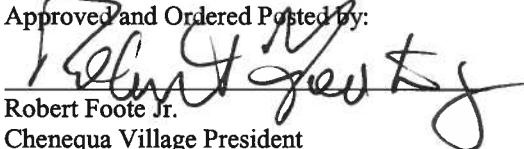
**Adjournment.**

Motion (Seidel, Haase) to adjourn the December 14<sup>th</sup> meeting of the Village Board at 8:45 p.m., Carried Unanimously.

Respectfully submitted by:

  
Bonita Zimdars  
Clerk/Treasurer

Approved and Ordered Posted by:

  
Robert Foote Jr.  
Chenequa Village President