

VILLAGE OF CHENEQUA

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, SEPTEMBER 8, 2014.
Unofficial until approved by the Village Board.
Approved as written () or with corrections () on 10-13-14

The regular meeting of the Board of Trustees for the Village of Chenequa was held at 6:30 p.m. on **Monday, September 8, 2014**, at the Village Hall, 31275 W County Highway K, Chenequa, Wisconsin. Legal requirements for notification of the news media were met.

The following Village Board Members were in attendance:

Mr. Robert T. Foote, Jr. / President – present
Ms. Jo Ann Villavicencio / Trustee – present
Ms. Carol Manegold / Trustee – present
Ms. Dwyn von Bereghy / Trustee – absent
Mr. Bronson Haase / Trustee – absent
Mr. Robert Bellin / Trustee – present
Mr. Helmut Keidl / Trustee – present
Attorney Wagner Ebben / Village Attorney – present
Mr. Robert Douglas / Administrator-Police Chief – present
Ms. Pamela Ann Little / Village Clerk-Treasurer – present

Attendance

John Kanzenbach, Danny Strayer, Ben Eruchalu, Thomas Longtin, Brian DeNeve, Brian Jongetjes, Sarah Jongetjes, John Syburg, and Perry Lindquist

Public Comment

None

Approve minutes of the July 14, 2014 Village Board meeting

Motion (Bellin/Keidl) to approve Village Board minutes of meeting held on August 18, 2014.

Motion carried

Clerk/Treasurer

Present invoices for approval

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

Review and consider revisions proposed by State DOT on STH 83 & CTH K W/Beaver Lake Road Construction

President Foote summarized for the Trustees the main purpose of the proposed road construction project on STH 83 & CTH K west of Beaver Lake Road was to improve the safety of the intersection with minimal impact on the environment.

Three proposals were submitted to the committee by the DOT to improve this intersection. The proposal being submitted tonight would have the least impact on the trees, width of the roads and the environment/properties at that intersection. It is the desire of the Village to maintain its ambiance and environment. Conversations between the Village and DOT have been very collaborative.

A public involvement meeting was held earlier this afternoon to present project plans and gather feedback from the residents. Proposed improvements included:

- Resurface intersection and widen shoulders to improve safety and efficiency of operations
- Removal of median island on CTH K
- Improve acceleration and deceleration tapers
- Tree removal as necessary to provide adequate sight distance
- Utility relocations

The meeting was then opened for comments by the public and Trustees.

Mr. Kanzenback, Project Manager, reviewed the proposed construction plan and clarified questions and concerns of Trustees and citizens. Construction would begin summer of 2016.

President Foote explained the decision making process and advised this matter would be put on next month's agenda for further discussion.

Item 8, 9 and 10 were then moved up for discussion.

**Waukesha County Department of Parks & Land Use Solid Waste Supervisor
Rebecca Mattano - Discussion on waste and recycling contract options**

Rebecca Mattano was unable to attend; instead, Perry Lindquist, Land Resources Manager, made the presentation to Trustees. Mr. Lindquist gave a little history on the recycling facility and how they concluded that an RFP was needed to address waste and recycling concerns. Twenty communities participated in the RFP. The Village received three quotes. One quote that does not operate in the Southeast Region was not included in the summary due to conditions that could not be met (number of households). Scoring process: 30% for technical and 70% for financial (based on maximum total contract cost). The scoring committee included seven municipal staff (Public Works Directors and Engineers) from participating cities, towns and villages. No county employees were involved in the scoring process. Goals were then outlined. Mr. Lindquist then presented the Contract RFP Summary and Award Recommendations.

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, Village Clerk, and the Village Administrator.

No need to go into closed session.

Motion (Foote/Villavicencio) that the Village of Chenequa pursue *Manual Up-the-Drive* refuse services with a 32 gallon container and appoint Administrator Douglas with the authority to negotiate a contract using his best efforts and judgment and enter into a deal with a refuse contractor, including whether to utilize a 3rd party consultant in such negotiations.

Motion carried

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

No closed session.

Discussion on cell tower leases

Trustee Bellin continued with discussion on ownership of the tower. US Cellular owns the tower. We have an arrangement with US Cellular for another 14 years. At the end of 14 years, the Village will be required to purchase the tower from US Cellular if a new agreement is not signed. We have a contract with Verizon for another 19 years. Under the agreement, Verizon has the option to cancel or extend the agreement; however, the Village has no termination rights short of a major default by Verizon. Verizon has first refusal rights on the lease. Landmark's fine print does state that it includes the tower not just the site.

Attorney Wagner Ebben explained the order process regarding due diligence with Verizon first. Negotiations need to continue with Landmark regarding ownership, liability and indemnification.

Administrator Douglas also reported on a possible new agreement with Netwurx.

Motion (Foote/Manegold) to appoint Administrator Douglas, Trustees Bellin and von Bereghy, and Attorney Wagner Ebben to negotiate with Landmark to receive the best offer possible and report back to the Board.

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, Village Clerk, and the Village Administrator.

There was no need to go into closed session at this time.

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

No closed session.

Discussion and review of proposed draft ordinance regarding Amplified Music Permit conditions and requirements

Attorney Wagner Ebben discussed the draft ordinance pertaining to prohibiting loud and unnecessary noise. Neighboring community noise ordinances were reviewed. It was recommended we amend our nuisance code to prohibit loud and unnecessary noise. Another concern was boat noise on the lake. This could be regulated by state statute. No further action on an amplified music ordinance at this time. Another draft of the proposed ordinance changes to Chapter 8 of the Village Code will be prepared for next month's meeting which will include amplified music timelines.

The draft ordinance regarding amplified music was no longer considered due to creating Section 8.23 of the Village of Code.

Report on Village Garage Project

Administrator Douglas updated Trustees on the hiring of a project manager, Steve Roth from TRG Construction Management Solutions. Attorney Krutz assisted in the bidding process. Two bids were received; one was selected and we do have a signed agreement not to exceed \$16,500. Mr. Roth prepared a status report for the Trustees on the village garage project. A budget report will be prepared for next month. Mid to late November is still the anticipated completion date.

Committee Reports

Public Safety – no report

Operations – no report

Plan Commission – no report

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 – no report

Report - Village Administrator

- 2015 Budget: Two budgets will be prepared due to the referendum.
- Referendum: Still confusion by residents with linking the new village garage project to the referendum. Ideas were discussed. A public referendum information meeting will be scheduled for Monday, October 27th at 6 pm.

Report - Village President

None

Report - Village Attorney

- Village Square: The village does have extra-territorial/zoning rights within 1.5 miles of its borders but only into unincorporated areas. The Village Square lies in the City of Delafield. Extra-territorial rights would not apply. Some communities in Lake Country have development agreements in place. Records will be searched to see if there is a development agreement in place.

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

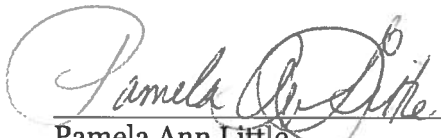
- STH 83 and W/CTH K Road Construction Project
- Cell Tower Leases

Adjournment

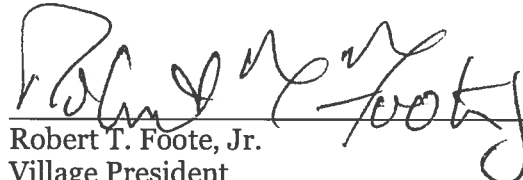
Motion (Villavicencio/Foote) to adjourn the meeting at 8:32 p.m. Motion carried

Respectfully submitted by:

Approved and Ordered Posted by:



 Pamela Ann Little
 Village Clerk - Treasurer



 Robert T. Foote, Jr.
 Village President