

VILLAGE OF CHENEQUA

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, APRIL 13, 2015.
Unofficial until approved by the Village Board.
Approved as written (✓) or with corrections () on 5-11-15.

The regular meeting of the Board of Trustees for the Village of Chenequa was held at 6:35 p.m. on Monday, April 13, 2015, at the Village Hall, 31275 W County Road K, Chenequa, Wisconsin. Legal requirements for notification to 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

Carrie Gindt, Jeff Kante and Susan Wilkey

Public Comment

None

Presentation of 2014 Financial Statements by Carrie Gindt of Reilly, Penner & Benton LLP.

Financial statements were presented by Carrie Gindt of Reilly, Penner & Benton LLP and reviewed by Trustees. Ms. Gindt recommended the municipality put in place a *Fund Balance Policy*.

Approve minutes of the March 9, 2015 Village Board meeting

Motion (Villavicencio/Bellin) to approve Village Board minutes of meeting held on March 9, 2015. *Motion carried*

Clerk/Treasurer

Present invoices for approval

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

Review and consider Oak Wilt nuisance per Village Ordinance 3.07(7)

Administrator Douglas reported that in our tree ordinance a section addresses a nuisance, such as Dutch elm disease and oak wilt. Once Forester Kante identifies oak wilt, the property owner is notified per village ordinance by letter advising that the tree must be removed to stop further infection of other trees. A resident is contesting our legal ability to force the removal of infected tree(s).

Forester Kante provided a copy of Village Ordinance 3.07 Care of Trees, a list of Wisconsin communities which have ordinances with tree provisions beyond public nuisance, the form letter

sent to residents and an information page on oak wilt. Forester Kante reported that research continues to support the removal of infected trees, especially the first year after the initial infection. New infestations are started by insects moving the fungal spores from an infected oak to other oaks. However, the most common method of tree to tree transmission is through the root system. Since 2006, the Village Forestry Department has tagged 430 oak trees as having oak wilt. Once a tree with oak wilt symptoms is found, the tree is identified with a tag and the property owner is sent a letter. The letter indicates the removal or abatement by March 1st of the following spring. Property owners are also given the option of having a sample sent to the UW Plant Disease Laboratory to verify the field diagnosis. The Village has had 100% compliance up to this year.

Attorney Wager Ebben advised that Village Code 3.07(7) is not in compliance with applicable Wisconsin law (Wis. Stat. § 27.09). To bring Section 3.07(7) of the Village Code into compliance, the Village would have to amend this section. A proposed draft was presented. Attorney Wagner Ebben will do further research regarding the issuance of fines for delays in abatement. The language will be amended and presented at next month's meeting for approval.

Preliminary/Final - Review and consider plans for a new garage submitted by Terry and Mary Briscoe of 6931 Wildwood Point Road

President Foote reported that the Plan Commission reviewed the application for a new garage submitted by Terry and Mary Briscoe. Final approval was recommended.

Motion (Villavicencio/Keidl) for final approval of garage plans submitted by Terry and Mary Briscoe of 6931 Wildwood Point Road. *Motion carried*

Review and consider Application for Land Division request submitted by Owners' Agent Bruce Gallagher for property owners: Beachy Gallagher, Joe & Nancy Geenen and Tim & Jan Hoeksema

President Foote reported that Mr. Gallagher presented for the three property owners (Gallagher, Geenen and Hoeksema) the proposed conceptual plan to adjust lot lines, clean up lot line descriptions and provide an ingress/egress easement/maintenance agreement. Property owners are looking for preliminary approval at this time to make sure conceptually the lots designated meet our codes. The driveway is shown, but an easement and maintenance agreement is needed in the final CSM. To have complete easements, the lots to the east and north need to be part of the easement agreement since they utilize the same shared driveway. Mr. Gallagher advised that the 5 acre Outlot would probably be restricted to no development. Preliminary approval was given so they could move forward with a final certified survey map and present for final approval at next month's meeting.

Motion (Bellin/Keidl) for preliminary approval of the conceptual CSM submitted by Bruce Gallagher, Owners' Agent, for property owners: Beachy Gallagher, Joe & Nancy Geenen and Tim & Jan Hoeksema. *Motion carried*

Review and consider Certified Survey Map submitted by Daniel M Smullen of W322 N7422 Reddelien Road, being all of Lot 4 and the South ½ of Lot 5 of Sunset View also a part of the NE ¼ of the SE ¼ of Section 17, T8N, R18E, Town of Merton, Waukesha County, per Village Code 6.18 extraterritorial jurisdiction.

Administrator Douglas reviewed the CSM submitted by Daniel M Smullen per Village Code 6.18 Extraterritorial Jurisdiction. Waukesha County and the Town of Merton have given their approval. Plan Commission recommended approval.

Motion (Bellin/Keidl) for final approval of CSM submitted by Daniel M Smullen per Village Code 6.18 extraterritorial jurisdiction. *Motion carried*

Review and consider revisions to Village Ordinance 5.20(2)(d)

President Foote advised that the Plan Commission reviewed a draft of proposed changes to this ordinance as discussed last month and a secondary modification will be presented at our next meeting.

Review and consider approval of Resolution No. 2015-04-13-1 Approving the Receipt of the Audit Conducted by Reilly, Penner & Benton LLP of the Village of Chenequa's Financial Statements for the Year Ending December 31, 2014

Motion (Manegold/Villavicencio) to approve Resolution No. 2015-04-13-1 Approving the Receipt of the Audit Conducted by Reilly, Penner & Benton LLP of the Village of Chenequa's Financial Statements for the Year Ending December 31, 2014. *Motion carried*

Review and consider approval of Resolution No. 2015-04-13-2 Amending the 2014 Adopted Budget of the Village of Chenequa

Motion (Manegold/Bellin) to approve Resolution No. 2015-04-13-2 Amending the 2014 Adopted Budget of the Village of Chenequa. *Motion carried*

Review and consider Resolution No. 2015-04-13-3 (Authorizing the Securing of a Loan) Refinancing Village Loans through First Bank Financial Centre

Attorney Wagner Ebben reported that last month the Board did approve the moving of all funds from Town Bank to First Bank Financial Centre (FBFC) in order to obtain a 10 year note for \$1,300,000 at 1.35% to consolidate and refinance loans outstanding with First National Bank of Hartford (\$425,853.19 and \$158,600.57) and the State Trust Fund Loan (\$716,999.27). A Certificate and Resolution was prepared by FBFC reflecting annual payments of \$139,847.09 for 10 years.

Motion (Foote/Villavicencio) to enter into a 10 year note for \$1,300,000 with First Bank Financial Centre. *Motion carried*

Review and consider Resolutions/Certificates of Appreciation

President Foote expressed his sincere appreciation to Helmut and Bobbie Keidl by presenting Trustee Keidl a Certificate of Appreciation which recognized their most generous donations in 2014 and 2015 which greatly assisted the purchasing of necessary equipment for the police department and new public works garage; their contribution in assisting the village by providing a facility to use during the interim while the new garage was being built and the donation of equipment to be used in the new facility. Their kindness and generosity will be permanently recognized in a place of honor at the new public works garage.

Motion (Foote/Villavicencio) to approve the Certificate of Appreciation presented to Trustee Keidl. *Motion carried*

President Foote also expressed his sincere appreciation to Rundle-Spence Manufacturing Company. They too will be presented with a Certificate of Appreciation which recognized their contribution of time, engineering services and financial assistance to the village in its planning and construction of the new public works garage. Their commitment, dedication and performance to assist the village will be permanently recognized in a place of honor at the new public works garage.

Motion (Foote/Manegold) to approve the Certificate of Appreciation which will be presented to Rundle-Spence Manufacturing Company. *Motion carried*

President Foote then read into the record the Resolution of Appreciation for Bronson Haase whereas Trustee Haase served as Village Trustee from April 2009 to April 2015 in a diligent and dedicated manner by devoting valuable time and personal attention to the work of this board and the duties of the Village Board on behalf of the citizens of Chenequa. Trustee Haase was instrumental in establishing the village's personnel committee in 2001. The citizens of Chenequa recognize and are deeply appreciative of his time and service contributed to the preservation and improvement of the quality of life in our community. The Village Board and the citizens of Chenequa express their profound gratitude to Trustee Haase for his loyal and faithful public service and this resolution will be spread upon the permanent records of the Village Board.

Motion (Foote/Bellin) to approve the Resolution of Appreciation for Bronson Haase.

Motion carried

Review and consider LWM Resolution Opposing County Assessment Proposal in the State Budget Bill

Attorney Wagner Ebben reviewed the proposed resolution that was presented last month which would shift municipal assessment to county assessment of property values for property tax purposes by 2017.

Administrator Douglas reported that recently he had attended a county administrative meeting with Senator Paul Farrow prior to the election and this topic did come up for discussion. Senator Farrow did assure everyone that both sides of the aisle opposed this recommendation and felt this wouldn't be an issue. Administrator Douglas did feel that if it was part of the budget bill and wasn't receiving any attention that it may stay in the budget.

President Foote recommended approving this resolution to show the village's opposition to this part of the budget bill.

Motion (Foote/Bellin) to approve Resolution 2015-04-13-4 Opposing County Assessment Proposal in the State Budget Bill. Motion carried

Review and consider Arbor Day Proclamation

President Foote proclaimed April 24, 2015 as Arbor Day.

Motion (Foote/Villavicencio) to confirm the proclamation of Arbor Day as April 24, 2015.

Motion carried

Review and consider Resolution No. 2015-04-13-5 Recognizing International Migratory Bird Day

Trustee Villavicencio reported on last year's successful bird walk. A May date has yet to be determined for this year's bird walk. May 9th is the celebratory day for International Migratory Bird Day and in the Village of Chenequa.

Motion (Foote/Villavicencio) to approve Resolution 2015-04-13-5 Recognizing International Migratory Bird Day. Motion carried

Review and consider Intergovernmental Agreement between Waukesha County and Participating Municipalities within Waukesha County to Purchase New Election Equipment and Software

Clerk Little suggested we hold off on signing the proposed intergovernmental agreement presented by the county until next month. A meeting has been scheduled with County Executive Paul Farrow for April 22nd between municipal clerks of the county and Waukesha County Administration for further discussion on election equipment expenses.

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

No need for closed session

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

No closed session

Committee Reports

Public Safety – no report

Operations – no report

Plan Commission – reported above

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 – Trustee Bellin reported that revenues are up; emergency services are up; fire calls are down; committee is finalizing the job description for the new fire chief; water tanker will need to be purchased in the next few years so LCF&R may go into negotiations/discussion with Stone Bank; and good things happening with the Village of Hartland – mutual aid, etc.

Report - Village Administrator

Administrator Douglas advised he had a meeting for tomorrow regarding STH 83/CTH K intersection.

Report - Village President

None

Report - Village Attorney

None

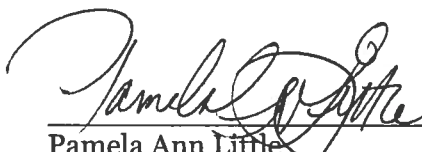
Agenda items to be considered for future meetings of the Village Board

- Village Code 3.07(7) - Oak Wilt
- Village Code 5.20(2)(d) – Swimming Pools

Adjournment

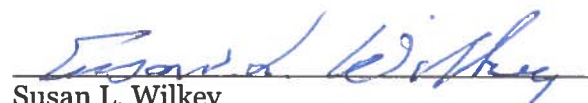
Motion (Villavicencio/Keidl) to adjourn the meeting at 7:26 p.m. *Motion carried*

Respectfully submitted by:



Pamela Ann Little
Village Clerk - Treasurer

Approved and Ordered Posted by:



Susan L. Wilkey
Village President