

VILLAGE OF CHENEQUA

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, NOVEMBER 14, 2016.
Unofficial until approved by the Village Board.
Approved as written (✓) or with corrections () on 12-12-16

The regular meeting of the Board of Trustees for the Village of Chenequa was held at 6:30 p.m. on Monday, November 14, 2016, at the Village Hall, 31275 W County Road K, Chenequa, Wisconsin. Legal requirements for notification were met.

A public hearing to hear comments regarding the 2017 Budget for the Village of Chenequa and Violations of Village Ordinance 3.07(7) Notice to Abate Public Nuisances was called to order at 6:31 p.m.

Four residents were in attendance. There were no comments regarding the budget. Comments regarding violations of Village Ordinance 3.07(7) were heard Item 5 was presented. The public hearing was closed at 6:32 p.m.

The regular meeting of the Board of Trustees for the Village of Chenequa was held immediately following the public hearing.

Village Board Members were in attendance:

Ms. Susan Wilkey / Village President – present
Ms. Jo Ann Villavicencio / Trustee – present
Ms. Carol Manegold / Trustee – present
Ms. Dwyn von Bereghy / Trustee – present
Mr. Michael Pranke / Trustee – present
Mr. Robert Bellin / Trustee – present
Mr. Helmut Keidl / Trustee – present
Attorney Thomas Gartner / Village Attorney - present
Mr. Robert Douglas / Village Administrator-Police Chief – present
Mr. Cody Lincoln / Village Forester - present
Ms. Little / Village Clerk – present

Pledge of Allegiance

The Pledge of Allegiance was recited

Attendance

Linda Wright, Robert Meyer, Judith Stark and Anne Styza

Public Comment

Linda Wright wanted the Trustees to take into consideration the fence issue that was discussed last year when discussing Item 7.

Approval of minutes from the Village Board meeting on October 10, 2016

Motion (von Bereghy/Villavicencio) to approve the minutes of the Village Board meeting on October 10, 2016. *Motion carried*

Approval of Invoices

Motion (von Bereghy/Villavicencio) to approve invoices as presented. *Motion carried*

Review and consider action on violations of Village Ordinance 3.07(7) Notice to Abate Public Nuisances

Attorney Gartner reviewed the proposed resolution that 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 provided a memorandum at the October 10, 2016 Village Board meeting and was present to give a report upon which the findings that are described in the resolution can be based.

Forester Lincoln presented his findings. Attachment A to the proposed Resolution lists properties that were determined by the Village Forester to have Oak Wilt present. These findings were based on Forester Lincoln's and Mr. Schampers monitoring of oak trees in the Village. Questionable trees were noted and reevaluated to ensure that these trees did have Oak Wilt based on the fact that they were completely defoliated by the end of the year. These trees are a significant public nuisance because of their potential to continue the spread and growth of oak wilt. Oak Wilt pockets will continue to take out mature, healthy red oaks unless they are abated.

Public comments and questions were invited from those in attendance. Ms. Linda Wright commented on: testing that had been done in the Village (present and past history) and its importance; her research and communications with directors from the Plant Disease of Diagnostic Clinic and from the Natural Resources Division of the University of Wisconsin and the possibility that the symptoms might not be those of Oak Wilt but another disease(s) that mimics Oak Wilt; the multiple letters that were sent to residents; the location and testing of diseased trees on her property; entry upon private properties in the Village; consulting vs procurement foresters; and the Village of Chenequa's process in handling the Oak Wilt disease. Ms. Wright then went on to describe her understanding and findings on Oak Wilt and to question Forester Lincoln's education and experience as a Forester.

Attorney Gartner clarified the Village process for Ms. Wright regarding the testing of trees, and the determination of an existing public nuisance based upon the Village Forester's findings and testimony before the Board. If a property owner contests the findings, the property owner can request a formal hearing and present evidence. The Board can consider the materials submitted by Ms. Wright this evening, in addition to those presented by Forester Lincoln, in making their decision. The decision need not be based upon on actual test results that come back for a tree that needs to be abated.

Attorney Gartner advised Board Members on options of proceeding with a motion approving the proposed resolution and the option to include or exclude the two trees in question on Ms. Wright's property.

Ms. Styza and Mr. Meyer, property manager for John & Bridget Miller, then presented questions to Forester Lincoln concerning Oak Wilt.

Board Members then discussed the findings and information presented.

Motion (von Bereghy/Villavicencio) 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 2017 Request to the Chenequa Foundation

Forester Lincoln presented to the Board his proposed request to the Chenequa Foundation, for consideration in 2017, to fund the purchase of a used 2006 bucket truck. Village resident Peter Mainka is a distributor of high ranger bucket trucks and is offering the village a used unit which will be completely refurbished and mechanically checked over at a cost of \$52,900. Mr. Lincoln's reasons and concerns for this request were presented. Approximate cost for a new bucket truck is \$180,000.

Motion (Pranke/Bellin) to send a formal request to the Chenequa Foundation for consideration in 2017 for the purchase of this 2006 bucket truck.

Review and consider action on Village Ordinance 8.23(8) as it relates to hours of operation for generator maintenance

Administrator Douglas advised that an email blast was sent to residents advising them of the change in hours of operation for maintenance of permanent standby generators. Phone calls were received requesting Saturday hours to accommodate persons working during weekday hours.

Motion (Pranke/Keidl) to direct the Village Attorney to draft a revision of Village Ordinance 8.23(8) to include Saturday hours from 10am to 12pm. *Motion carried*

Discussion on Village Ordinance 5.20 Swimming Pool Regulations

Administrator Douglas advised that a new application has come forth from a property owner proposing to construct a swimming pool that would not be lakeside. Our ordinance calls for a pool not to be separated from the primary residence. The proposed pool and pool house would be in the rear yard, not connected to the primary residence and would be 100ft from the neighboring primary residence. Administrator Douglas was looking for direction from the Board. Property owners have the right to ask for a variance under the building code. Different options were also discussed on how to handle this request.

The Board agreed to have Attorney Gartner and Administrator Douglas work on a recommendation to present next month for review and consideration.

The Chenequa 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.

No closed session

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

No closed session

Review and consider 2017 Preliminary Budgets for the Village of Chenequa

Administrator Douglas presented the final draft of the 2017 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.

Motion (Villavicencio/vonBereghy) to adopt the 2017 Budget and Tax Levy for the Village of Chenequa. *Motion carried*

Review and consider 2017 Lake Country Municipal Court Budget; Resolution 2016-11-14-02

Motion (/Manegold/VonBereghy) to approve the 2017 Lake Country Municipal Court Budget. *Motion carried*

Review and consider Amendment and Restatement of Resolution 2016-10-10-02 Authorizing the Securing of a Loan with First Bank Financial Center to Finance Short Term Debt ; Providing for the Issuance and Sale of a General Obligation Promissory Note Therefore; and Levying Tax in Connection Therewith; Resolution 2016-11-14-02

Attorney Gartner advised that on October 10, 2016, the Board approved a resolution authorizing \$150,000 short term borrowing. The documentation for the loan is the Wisconsin Bankers Association standard form documentation. The bank's attorney requested Village approval of the standard form resolution.

This resolution doesn't change the borrowing or loan terms but it creates a new form resolution which is incorporated into the resolution so it can be included into the loan documents.

Motion (von Bereghy/Villavicencio) to approve the Amendment and Restatement of Resolution 2016-11-14-02 Authorizing the Securing of a loan with First Bank Financial Centre in the amount of \$150,000 at a rate of 1.35%, to Finance Short Term Debt Providing for the Issuance and Sale of a General Obligation Promissory Note and Levying a Tax in Connection Therewith. Motion carried

Committee Reports

- Board of Appeals** – no report
- Emergency Government Committee** –no report
- Hwy 83 Task Force** – Forester Lincoln advised that signs and barrels will be removed once shoulder work is done and that the Beaver Lake Road sign still needs to be put up.
- Lake Country Fire and Rescue Board** – no report
- Lake Management** – no report
- Operations** – no report
- Open Space** – no report
- Personnel Committee** – Administrator Douglas advised the Board with respect to the matter noticed for Closed Session. There was one minor revision to the language requested by the Police Union which was to increase maximum accumulation of comp time from 56 hours to 64 hours. The Personnel Committee approved the change as well as a 2% wage increase. No other changes.
- Plan Commission** – no report
- Police Commission** – no report
- Public Safety** – no report

Report – Village Forester

No report

Report - Village Administrator

None

Report - Village President

None

Report - Village Attorney

None

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

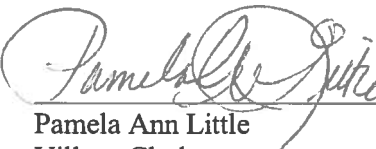
None

Adjournment

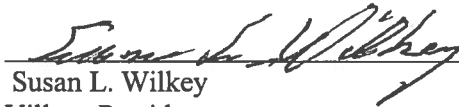
Motion (von Bereghy/Bellin) to adjourn the meeting at 8:15 pm. Motion carried

Respectfully submitted by:

Approved and Ordered Posted by:



Pamela Ann Little
Village Clerk



Susan L. Wilkey
Village President