AGENDA

Village of Chenequa
Monday, February 10, 2020
31275 W County Road K, Chenequa, WI 53029

This is official notice that the regular monthly meeting of the Village Board of Trustees for the Village of Chenequa will be held at 6:30 p.m. on Monday, February 10, 2020 at the Village Hall, 31275 W County Road K, Chenequa. Legal requirements for notification have been met. The following matters will be discussed, with possible actions, as well as any other matters that may come before the Trustees:

1) Public comment period: Public comments on any subject without any action, except possible referral to a governmental body or staff member
2) Approval of minutes from the Village Board meeting on January 13, 2020
3) Approval of Invoices
4) Review and consider a Resolution Relative to Clerical Corrections to the Village Code to Address Minor Clerical Errors; Resolution No. 2020-02-10-01
5) Discuss and consider a Resolution Authorizing the Execution of a Contract for Services with Lake Country Inspections, LLC for Building Inspection Services; Resolution No. 2020-02-10-02
6) Discuss regarding the Village Board’s adoption of a code of ethics applicable to an elective or appointive office of the Village, including but not limited to the Village Administrator, Village Board of Trustees, and Village Plan Commission Members
7) Discussion related to donations to other municipalities
8) Committee Reports
   • Lake Country Fire & Rescue
9) Report – Village Forester
10) Report – Village Administrator
11) Report – Village President
12) Report – Village Attorney
13) Agenda items to be considered for future meetings
14) Adjournment

Respectfully submitted by:
Pamela Ann Little, Village Clerk

Request from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Administrator with as much advance notice as possible.

NOTICE OF POSTING TO VILLAGE HALL BULLETIN & WEBSITE
Village Clerk posted this agenda on Wednesday, February 5, 2020 by 1:00 PM
Phone 262-367-2239 • www.chenequa.org
A meeting of the Board of Trustees for the Village of Chenequa was held at 6:56 p.m. on Monday, January 13, 2020, at the Village Hall, 31275 W County Road K, Chenequa, Wisconsin. Legal requirements for notification were met. Members in attendance:

Ms. Jo Ann Villavicencio / Village President – present
Ms. Carol Manegold / Trustee – present
Mr. Michael Pranke / Trustee – absent
Mr. Robert Bellin / Trustee – present
Mr. Grunke / Trustee – present
Mr. John Syburg / Trustee – present
Mr. David Myers / Trustee – present
Attorney Gartner / Village Attorney – present
Mr. Neumer / Village Administrator-Police Chief – present
Ms. Little / Village Clerk – present

Call to Order
Pledge of Allegiance

Public in Attendance
Captain Matthew Carney, Josh Wadziwski, Keith Kindred, Cody Lincoln, Rob Manegold and Jacob Lipke

Public Comment
None

Approval of minutes from the Village Board meeting held on December 9, 2019
Motion (Myers/Manegold) to approve the minutes of the Village Board meeting held on December 9, 2019. Motion carried

Approval of Invoices
Motion (Bellin/Grunke) to approve invoices as presented. Motion carried

Discussion relative to Village investments
The Village Certificate of Deposit is coming up for renewal. Options were given to Trustees. The consensus of the Board was to administratively reinvest Certificate of Deposit (CD) funds currently with Landmark Credit Union into their thirteen (13) month CD with a special rate of 2%.

Review and consider application for an addition to the residence submitted by Dixon and Stephanie Benz of 6060 Brumber Road
Motion (Syburg/Myers) to accept the Plan Commission’s recommendation and approve the proposed addition submitted by Dixon and Stephanie Benz. Motion carried

Review and consider application for a landscape plan on the lake side submitted by Chris and Julie Keidl of 4717 N Pine Meadows Lane
Motion (Syburg/Manegold) to accept the Plan Commission’s recommendation and approve the proposed addition submitted by Dixon and Stephanie Benz. Motion carried.

**Review and consider application for a new residence submitted by Robert and Carol Manegold of 5106 N Maple Lane**

Motion (Grunke/Syburg) to accept the Plan Commission’s recommendation and approve the proposed plans for a new residence submitted by Robert and Carol Manegold contingent upon: (1) a new CSM being created to join both lots and being approved by the Village Board, and (2) a bond to be held by the Village to ensure demolition of the existing home with the exception of the existing garage. Ms. Manegold recused herself. Motion carried.

**Review and consider application for a new residence submitted by Gary and Janet Ellis of 5975 Cedarhurst Lane**

Motion (Syburg/Myers) to accept the Plan Commission’s recommendation and approve the proposed plans for a new residence submitted by Gary and Janet Ellis. Motion carried.

**Review and consider Certified Survey Map for a lot line adjustment submitted by the owners of 4978 N Maple Lane**

Motion (Manegold/Bellin) to accept the Plan Commission’s recommendation and approve the proposed lot line configuration on the CSM submitted by the owners of 4978 N Maple Lane. Motion carried.

**Review and consider Ordinance amending certain provisions in Chapter 5 relative to private driveways and driveway regulations**

Attorney Gartner reviewed agenda items 10 and 11 together. Historically, the predominant mode for roadways in the Village has been private driveways and private roadways with limited regulation. In addition, unlike many municipalities, the Code defines driveways as accessory structures which meant that they were subject to setback requirements which traditionally is not the case and creates design issues particularly in places like Chenequa that serve multiple properties. Additional issues were raised during discussions at the Board meeting last month on the division application for the Dorner Certified Survey Map (CSM) because no representative was available to understand what was being proposed. Village ordinances require all new roads in the village to be private unless the Village formally accepts and agrees there is going to be a dedication of new public right-of-way. It wasn’t clear what was intended with respect to the easement on the Dorner CSM and what future plans were for the adjacent lands in the Town of Merton. Mr. Dorner nor Mr. Kindred were present at the Village Board meeting to explain what might be contemplated in the future.

Code provisions were then reviewed, specifically, the language in Chapter 6 - Zoning Code, dealing with subdivisions, but the private road and private driveway concepts for CSMs were not addressed. In looking at some surrounding municipalities, in particular Oconomowoc Lake, it would make sense for the Village to consider making a few changes.

The initial change is to change the definition of accessory structure to make it clear that driveways are not included so they don’t have to be setback ten (10) feet from the lot line which is awkward when the driveway is across the lot line.

The other primary change reflected in Chapter 6 is a change that makes the same regulations that apply when you are subdividing land apply when you are creating a CSM to divide the land with respect to roads and drives.

The third change was to come up with a definition for private driveway so that there would be a distinction in driveways and private roads. That distinction in the package has a prior reiteration of the text which was updated and should be the form on file with the Clerk today. Initially, following the
Oconomowoc Lake model, the private driveway definition allowed private driveways to serve up to five (5) lots; Oconomowoc Lake was four (4) lots. In discussions with Mr. Lipke, apparently there are situations today in Chenequa where there are private driveways that serve six (6) lots which would make sense to accommodate in the definition existing driveways. I think there were three (3) or four (4) situations where there were up to six (6) lots that are currently served and theoretically there could be potential additional divisions, so the private driveway definition in its final iteration defines a private driveway as a driveway that serves up to six (6) individual lots, but with Village approval could serve up to a total of ten (10) lots. Conceptually, this is to make it clear when the Village is dealing with private driveways and adding the condition that there be a formal easement as opposed to some kind of informal understanding or prescriptive easement when new private drives are created.

Private Roads on the other hand are still permitted but those are regulated in the same way as new private roads when someone creates a formal subdivision which is a division of more lots than just the CSM. Village staff will need to evaluate conditions in the Village and decide long term how much regulation the Village really needs for private roads and private drives. Additional recommendations may be coming forth for additional ordinance provisions in the future.

The proposed changes clarify the status of private drives and make the ordinance provisions applicable to private roads, and the same for divisions accomplished by CSMs as they are for divisions accomplished by a formal subdivision plat which is a larger development.

Motion (Grunke/Myers) to accept the Plan Commission’s recommendation and amend provisions in Chapter 5 and Chapter 6 as presented. Motion carried

Review and consider Ordinance amending certain provisions of Chapter 6 relative to private driveways
Presented above

Review and consider application for land division submitted by Wolfgang Dorner (5166 N STH 83)
Motion (Manegold/Myers) to accept the Plan Commission’s recommendation and approve the Certified Survey Map subject to the conditions: (1) Designation of the easement area as a private driveway; and (2) Submission of a private driveway easement in form and substance acceptable to the Village Administrator. Motion carried

Review and consider 2020 Lake Country Municipal Court Budget; Resolution No. 2020-01-13-01
Village Administrator Neumer advised there was no increase in court fees for 2020. The budget is self-sufficient and is operating on its own. The salaries for office staff were increased by 2% and a $1,000 increase to the Judge’s salary from 2019. Wisconsin retirement and health insurance increased and they were reflected in the salaries of the employees for the Municipal Court.

Motion (Grunke/Bellin) to approve the 2020 Lake Country Municipal Court Budget. Motion carried

Discussion relative to administrative updates to the Village Code to address minor inconsistencies and formatting
Attorney Gartner advised that over the last year the Village has re-codified the Code in updated language and in some cases, there are minor non-substantive inconsistencies. There was a consensus by Board Members to allow the Clerk to make non-substantive changes administratively to the Code. A resolution for Board approval will be prepared for next month’s meeting.

Review and consider appointment to Lake Country Fire and Rescue Board and to the Public Safety Committee
President Villavicencio recommended Tom Touchett to replace Martin Gallun on the Lake Country Fire and Rescue Board and to have Stephanie Benz replace Angela Gallun on the Public Safety Committee.

Motion (Myers/Manegold) to appoint Tom Touchett to the Lake Country Fire and Rescue Board and to appoint Stephanie Benz to the Public Safety Committee. Motion carried

Committee Reports

- Lake Country Fire & Rescue Board: Trustee Bellin reported there have been 183 incidents (mostly flu) in December and that calls are up 5.5% over the last year.

Report – Village Forester

Forester Lincoln submitted a report on:

Oak Wilt Following public notice to residents regarding oak wilt earlier this fall, significant progress has been made towards the removal of infected oak trees. A large majority of land owners with oak wilt on their property are following the proper measures to ensure infected trees are removed and discarded properly. A few residents have yet to remove their infected trees.

Right-of-Way Work In 2018, we removed a total of 212 hazardous trees that were greater than 6” in diameter. In 2019, 215 trees were removed, plus an additional 50-60 trees that Asplundh removed in the spring of 2019. The last leg of tree removals should be completed by mid-summer on State Highway 83.

Report – Village Administrator

No report

Report – Village President

President Villavicencio will be attending a cyber workshop with the Village Administrator and Police Captain on Tuesday, January 14, 2020 which will be on responding and mitigating cyber-attacks and how to address those.

Report – Village Attorney

No report

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

- Further discussion on Private Drives and Private Roads
- Resolution to address minor inconsistencies in the Village Code

Adjournment

Motion (Bellin/Syburg) to adjourn the meeting at 8:00 p.m. Motion carried

Respectfully submitted by:               Approved and Ordered Posted by:

Pamela Ann Little                       Jo Ann Villavicencio
Village Clerk                           Village President
WHEREAS, the Village Code contains a number of inconsistencies with respect to certain terms and formatting issues; and

WHEREAS, the Village Board of Trustees for the Village of Chenequa, Waukesha County, Wisconsin desires to delegate responsibility to and authorize the Village Clerk to correct such issues.

NOW THEREFORE, BE IT RESOLVED, that the Village Clerk is hereby authorized and directed to correct any mere clerical error in the Village Code, such as errors in spelling, or the use of one word for another, as “affect” for “effect”, plural for singular, and the like, and also all mistakes in numbering the sections or references thereto, whether such errors occur in the original or are caused by amendments. Notwithstanding the foregoing, the Village Clerk shall not make any corrections, other than such as is authorized by this resolution unless upon the order of the Village Board of Trustees. On questions of spelling, Webster’s Unabridged Dictionary shall be taken as standard.

Adopted this 10th day of February, 2020.

VILLAGE OF CHENEQUA

By: ______________________________
    Jo Ann F. Villavicencio
    Village President

Attest:

_______________________________
Pamela Ann Little
Village Clerk-Treasurer

Date Adopted: February 10, 2020
Date Posted: February 11, 2020
RESOLUTION AUTHORIZING THE EXECUTION OF
A CONTRACT FOR SERVICES WITH LAKE COUNTRY INSPECTIONS, LLC
FOR BUILDING INSPECTION SERVICES

WHEREAS, the Village of Chenequa requires professional building inspection services to meet the needs of its residences and businesses; and

WHEREAS, the Village of Chenequa received a proposed contract from Lake Country Inspections, LLC to provide such building section services to the Village of Chenequa; and

WHEREAS, the Village Board of Trustees for the Village of Chenequa desires to authorize the Village Clerk and Village Administrator to enter into such contract.

NOW THEREFORE, BE IT RESOLVED, that the Village Clerk and Village Administrator are hereby authorized to enter into a contract with Lake Country Inspections, LLC for the provision of building inspection services to the Village of Chenequa.

Adopted this 10th day of February, 2020.

VILLAGE OF CHENEQUA

By: ________________________________________________
Jo Ann F. Villavicencio
Village President

Attest:

Pamela Ann Little
Village Clerk-Treasurer

Date Adopted: February 10, 2020
Date Posted: February 11, 2020