AGENDA
Village of Chenequa
Monday, March 9, 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 immediately following the Plan Commission meeting which is scheduled for 6:00 p.m. on Monday, March 9, 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 February 10, 2020
3) Approval of Invoices
4) Review and consider application for new residence submitted by Timothy Michels of 6775 N State Road 83
5) Review and consider application for lakeside alteration submitted by Chris and Julie Keidl of 4717 N Pine Meadows Drive
6) Review and consider application for lighting and landscaping plans submitted by Gary and Janet Ellis of 5975 Cedarhurst Lane
7) Review and consider an Ordinance adding a new Section 1.15 to the Village Code to adopt 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; Ordinance No. 2020-03-09-01
8) Discuss, review and consider the Village Board’s adoption of an Ordinance to repeal and re-create Section 1.5 of the Village Code regarding the by-laws applicable to the Village Board; Ordinance No. 2020-03-09-02
9) The Chenequa Village Board may enter into closed session pursuant to Wisconsin State Statute §19.85 (1) (c) for the purpose of discussing wage and benefit matters as it relates to the Village Administrator/Chief of Police. Participating in the closed session will be the Village Board, Village Attorney, and Village Clerk
10) Reconvene into open session and consider any action resulting from closed session on wage and benefit matters as it relates to the Village Administrator/Chief of Police
11) Committee Reports
   - Lake Country Fire & Rescue
12) Report – Village Forester

Phone 262-367-2239 • www.chenequa.org
13) Report – Village Administrator
14) Report – Village President
15) Report – Village Attorney
16) Agenda items to be considered for future meetings
17) 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 Tuesday, March 3, 2020 by 3:00 PM
A meeting of the Board of Trustees for the Village of Chenequa was held at 6:30 p.m. on Monday, February 10, 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 – absent
Attorney Luljak / Village Attorney – present
Mr. Neumer / Village Administrator-Police Chief – present
Ms. Little / Village Clerk – present

Call to Order
Pledge of Allegiance

Public in Attendance
None

Public Comment
None

Approval of minutes from the Village Board meeting held on January 13, 2020
Motion (Grunke/Syburg) to approve the minutes of the Village Board meeting held on January 13, 2020. Motion carried

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

Review and consider a Resolution Authorizing the Village Clerk to Correct Minor Inconsistencies and Formatting throughout the Village Code; Resolution No. 2020-02-10-01
Motion (Syburg/Manegold) to adopt Resolution Authorizing the Village Clerk to Correct Minor Inconsistencies and Formatting throughout the Village Code. Motion carried

Review and consider Resolution Authorizing the Execution of a Contract for Services with Lake Country Inspections, LLC for Building Inspection Services; Resolution No. 2020-02-10-02
Motion (Syburg/Manegold) to adopt Resolution Authorizing the Execution of a Contract for Services with Lake Country Inspections, LLC for Building Inspection Services. Motion carried

Discussion 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 the Village Plan Commission Members
Attorney Luljak explained that all public officials appointed and/or elected in the State of Wisconsin are subject to a Code of Ethics under state statute. Many municipalities adopt a local Code of Ethics as well either to mimic exactly what the state statute is or to provide more expansive regulations. Typically, the municipal code of ethics does not have more restrictive restrictions on the activities that the state code addresses, so specifically, you can engage in activity that confers a financial benefit upon you. You cannot make any decisions in the appointive/elective position that would confer financial benefits on you or your immediate family. Those activities stay the same, but where municipal codes step in and assist is by covering additional gaps that the state code does not. For instance, I mentioned that only appointed or elected officials are subject to the state code of ethics, with the municipal ordinance you can actually extend that to all municipal employees or appointed committee members. In addition to that, and most importantly is transparency so that all Village employees or elected public officials are aware of what the rules are so that in the event that something does come up down the line it’s in the Village Code. The other aspect that the local ordinance can accomplish is to set forth the review process should it come to the Board’s attention that there may be a conflict of interest. The Board requested Attorney Luljak to prepare a code of ethics ordinance for review at the meeting on March 9, 2020.

Discussion related to donations to other municipalities
Administrator Neumer explained that the Village was approached by the Village of Summit for a donation to go towards a memorial for fallen officers. Officers from the Village of Chenequa did donate to this memorial. There was discussion by Board Members as to whether or not a donation could be made from the municipality. At this time, the Board decided this was not a budgeted line item for 2020 and that as streamed lined as the budget is, we need to be fiscally responsible. Administrator Neumer felt there were other alternatives for other agencies and jurisdictions to look at to fund raise for this purpose.

Committee Reports
- Lake Country Fire & Rescue Board: Trustee Bellin reported LCF&R in 2019 finished slightly under budget in expenses. Final numbers will be presented after the audit is completed later this year. Chief Fennig receives a daily report on the coronavirus; they are being proactive by having extra supplies on hand.

Report – Village Forester
No report

Report - Village Administrator
No report

Report - Village President
No report

Report - Village Attorney
No report

Agenda items to be considered for future meetings of the Village Board
- Municipal Code of Ethics Ordinance

Adjournment
Motion (Syburg/Manegold) to adjourn the meeting at 6:51p.m. Motion carried

Respectfully submitted by:                        Approved and Ordered Posted by:

Pamela Ann Little                                   Jo Ann Villavicencio
Village Clerk                                         Village President
STAFF REVIEW

Date: February 20, 2020
Meeting Date & Time: Monday, March 9th at 6:00 P.M.

To: Plan Commission, Village of Chenequa

From: Planning Department

Subject: Site Plan Review

Architect/Builder: Paul Schultz, Sunarc Studios

Owner: Tim Michels

Location: 6775 State Road 83

Project Description: New Single Family Dwelling

Zoning District: Residence District - Lot Abutting a Lake

<table>
<thead>
<tr>
<th>LOT AREA:</th>
<th>REQUIRED RES. DISTRICT</th>
<th>PROPOSED PROJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 acres</td>
<td>18.445 acres</td>
</tr>
<tr>
<td>LOT WIDTH: AVERAGE</td>
<td>200 L.F. min.</td>
<td>541 L.F.</td>
</tr>
<tr>
<td>YARD SETBACKS:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front (East)</td>
<td>75 ft. min.</td>
<td>1000+ ft.</td>
</tr>
<tr>
<td>Side (North)</td>
<td>25 ft. min.</td>
<td>120+ ft.</td>
</tr>
<tr>
<td>Side (South)</td>
<td>25 ft. min.</td>
<td>50.0 ft.</td>
</tr>
<tr>
<td>Rear (Lake)</td>
<td>75 ft. min.</td>
<td>145.0 ft.</td>
</tr>
<tr>
<td>BUILDING HEIGHT:</td>
<td>40 ft. max.</td>
<td>39.83 ft.</td>
</tr>
<tr>
<td>SQUARE FEET OF LIVING AREA</td>
<td>2500 sq. ft. min.</td>
<td>3526 sq. ft.</td>
</tr>
</tbody>
</table>

COMMENTS:

1. The applicant proposes to build a New Single Family Dwelling.

2. This is a legal conforming lot.

3. The proposed structure is over fifty (50) feet to any existing single-family structure on an adjoining lot which complies with Sec. 6.5(4)(c)(i).

4. The structure is proposed near the maximum forty (40) foot height of a structure (chimney excluded) per Sec. 6.5(3)(a)(ii). Height to be verified at final inspection.
5. Lighting and landscaping are not provided at this time and will need to return to Plan Commission for approval.

6. Exterior finishes are outlines on Sheet 4. There will be a cedar shingled roof, cedar vertical board and batten siding and natural stone veneer.

7. If one acre or more of land is to be disturbed, a DNR land disturbance permit shall be obtained at least fourteen (14) days prior to beginning of construction.

8. If it is determined the building site grading plan needs further review for storm water management, a storm water and grading plan shall be reviewed by an engineer of the Village’s choice and paid for by the applicant.

9. A sanitary permit shall be obtained from Waukesha County prior to permit issuance. Or for additions, Waukesha County to issue a preliminary site evaluation. You may obtain the application for the Preliminary Site Evaluation (PSE) on line at www.waukeshacounty.gov/eh.

10. A building permit is required from the Building Inspector prior to start of construction.

c: Dan Neumer, Administrator
   Pamela Little, Clerk
   Cody Lincoln, Zoning Administrator
   Tim Michels, Owner
   Paul Schultz, Sunarc Studios, Architect
   Jacob Lipke, Building Inspector
SITE PLAN


LEGEND
- FD 0.75" O.D. IRON BAR
- FD 1" O.D. IRON PIPE
- UTILITY POLE

BUILDING

ORDINARY HIGH WATER LINE

PROPOSED TENNIS COURT SITE
112' X 57'

EXISTING DRIVEWAY

NEW DRIVEWAY

PROPERTY LINE

PROPERTY LINE

BUILDING

BUILDING

BUILDING

PROPOSED RESIDENCE

EXISTING DRIVEWAY

PROPERTY ADDRESS:
6775 HWY 83
HARTLAND, WI 53029

DATE OF SURVEY: JUNE 10, 2019

SITING COURT SITE PLAN
FOR TIM MICHELS
VILLAGE OF CHENEQUA
WAUKESHA COUNTY
WISCONSIN

GRAPHIC SCALE
1 inch = 80 ft.

Bearings are referenced to the WISCRS,
Waukesha County, NAD 83 (2011)
STAFF REVIEW

Date: February 20, 2020
Meeting Date & Time: Monday, March 9th at 6:00 P.M.

To: Plan Commission, Village of Chenequa

From: Planning Department

Subject: Site Plan Review

Architect/Builder: Architectural Development Services

Owner: Chris and Julie Keidl

Location: 4717 N. Pine Meadows Lane

Project Description: Lakeside Alteration

Zoning District: Residence District - Lot Abutting a Lake

<table>
<thead>
<tr>
<th></th>
<th>REQUIRED RES. DISTRICT</th>
<th>PROPOSED PROJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOT AREA:</td>
<td>2 acres</td>
<td>4.17 acres</td>
</tr>
<tr>
<td>LOT WIDTH: AVERAGE</td>
<td>200 L.F. min.</td>
<td>229.9 L.F.</td>
</tr>
<tr>
<td>YARD SETBACKS:</td>
<td>Front (East) 75 ft. min.</td>
<td>600+ ft.</td>
</tr>
<tr>
<td></td>
<td>Side (South) 12 ft. min.</td>
<td>89.5 ft.</td>
</tr>
<tr>
<td></td>
<td>Side (North) 12 ft. min.</td>
<td>94.12 ft.</td>
</tr>
<tr>
<td></td>
<td>Rear (Lake) 75 ft. min.</td>
<td>110 ft.</td>
</tr>
<tr>
<td>BUILDING HEIGHT:</td>
<td>24 ft. max</td>
<td>40 ft.</td>
</tr>
</tbody>
</table>

COMMENTS:

1. The applicant proposes to move an existing stone fireplace on the lakeside to the adjacent wall and replace the fireplace with a set of doors and windows to mirror the existing openings.

2. This is a legal conforming lot.

3. The proposed structure is over fifty (50) feet to any existing single family structure on an adjoining lot which complies with Sec. 6.5(4)(c)(i).
4. A lighting option has been provided. The carriage style light is approved with either a “dark sky” filament or an opaque light shield to prevent direct visibility of the lamp to persons on public waters or adjacent lands more than fifty (50) feet beyond such structure which complies with Sec. 5.24(7)(b)ii.

5. Exterior finishes are detailed on Sheet 3. Siding, shingles, gutters and trim to match existing home.

6. If one acre or more of land is to be disturbed, a DNR land disturbance permit shall be obtained at least fourteen (14) days prior to beginning of construction.

7. If it is determined the building site grading plan needs further review for storm water management, a storm water and grading plan shall be reviewed by an engineer of the Village’s choice and paid for by the applicant.

8. For additions, Waukesha County is to issue a preliminary site evaluation. You may obtain the application for the Preliminary Site Evaluation (PSE) on line at www.waukeshacounty.gov/eh.

9. A building permit is required from the Building Inspector prior to start of construction.

c: Dan Neumer, Administrator
Pamela Little, Clerk
Cody Lincoln, Zoning Administrator
Chris and Julie Keidl Owner
Architectural Development Services, Architect/Builder
Jacob Lipke, Building Inspector
STAFF REVIEW

Date: February 27, 2020                        Meeting Date & Time: Monday, March 9th at 6:00 P.M.

To: Plan Commission, Village of Chenequa

From: Planning Department

Subject: Site Plan Review

Architect/Builder: Deep River Partners

Owner: Janet and Gary Ellis

Location: 5975 Cedarhurst Lane

Project Description: Lighting and Landscape Plan

Zoning District: Residence District - Lot Abutting a Lake

COMMENTS:

1. The applicant proposes a lighting and landscape plan for the previously approved new single family dwelling.

2. This is a legal conforming lot.

3. All tree removal and planting within seventy-five (75) feet of the shoreline to be done by a permit obtained through the Village Forester.

4. Page E1.0 details placement of down lights for stairs adjacent to home and frosted lights for entry piers.

5. All lights on pages E2.0, E2.1 and E2.2 labeled as “A,” “H-1,” “H-2,” “EA,” “EB,” “EC,” “ED” and “EE,” are recommended for approval if “fitted with an opaque light shield to prevent direct visibility of the lamp” to comply with Sec. 5.24(7)(b)ii.

6. All lights on pages E2.0, E2.1 and E2.2 labeled as “G” or “G2” do not comply with Sec. 5.23(5) that “all outdoor lighting within the Village shall be fully shielded or designed, located and/or downward directed and shielded” as they are upward directed lights. Sec. 5.23(8)(b) however provides an exemption for “Low voltage landscape and accent lighting.” The aforementioned up lights are all low voltage. They are all dimmable and on a timer. Two shielding options are provided for these lights. The Plan Commission shall make a recommendation to the Village Board as to whether these lights can be approved as “accent lighting.”

c: Dan Neumer, Administrator and Pamela Little, Clerk
   Cody Lincoln, Zoning Administrator
   Janet and Gary Ellis, Owners
   Erik Hojnacke, Deep River Partners, Architect
   Jacob Lipke, Building Inspector
1. DECLARATION OF FINDINGS

The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established this Code of Ethics for Village officials. The purpose of this Section is to establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interest of the Village and its residents. The Village Board finds that this Section will help avoid conflicts, will improve standards of public service, and will promote and strengthen the confidence of Village residents in their public officials. This Section is enacted pursuant to the authority set forth in Section 19.59 Wisconsin Statutes.

2. DEFINITIONS

The terms used herein shall be defined as follows:

ANYTHING OF VALUE — Any money or property, favor, service, payment, advance, forbearance, loan or promise of future payment, but does not include compensation and expenses paid by the Village, fees and expenses which are permitted and reported under Section 19.56 Wisconsin Statutes, political contributions which are recorded under Chapter 11 Wisconsin Statutes, or hospitality extended for a purpose unrelated to Village business by a person other than an organization.

ASSOCIATED — When used with reference to an organization, includes any organization in which an individual or a member of his or her immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, severally or in aggregate, at least 10% of the outstanding equity, or of which an individual or a member of his or her immediate family is an authorized representative or agent.

GIFT — The payment or receipt of anything of value without valuable consideration.

IMMEDIATE FAMILY — A local public official's spouse, son, daughter, mother, father, sister, brother, mother-in-law, father-in-law, stepmother, stepfather, stepson, stepdaughter, stepsister, stepbrother, son-in-law or daughter-in-law.

LOCAL PUBLIC OFFICE — Any of the following offices:

A. An elective office of the Village or its government.

B. The Village Administrator.

C. An appointive office or position of the Village government which is filled by the Village Board or the Village President and in which the incumbent serves at the pleasure of the appointing authority, including the Village Forester, Village Clerk-Treasurer, and local building inspectors, but excepting other clerical positions, positions limited to the exercise of ministerial action or positions filled by an independent contractor.
D. An appointive office or position of the Village government in which an individual serves for a specified term, except for a position limited to the exercise of ministerial action or a position filled by an independent contractor.

E. A position of department head for the Village, which includes all program directors and administrators who supervise and implement their respective programs and report directly to the Village Board.

LOCAL PUBLIC OFFICIAL — An individual holding a local public office.

3. STANDARDS OF CONDUCT

A. The Village Board recognizes that:

(1) In a representative democracy its leaders are drawn from the very society that they serve; therefore, they cannot and should not be expected to be without any personal or economic interest in the decisions and policies of government;

(2) Citizens who serve as local public officials retain their rights as citizens to interests of a personal and economic nature;

(3) The standards of ethical conduct for local public officials need to distinguish between minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material; and

(4) Local public officials may need to engage in employment, professional or business activities other than official public duties in order to support themselves or their families and to maintain a continuity of professional business activity or may need to maintain investments; however, such activities or investments must not conflict with the specific provisions of this Section.

B. This Section does not prevent a local public official from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge of his or her duties as a local public official.

4. OFFER OR ACCEPTANCE OF GIFTS; OVERNIGHT TRAVEL WITH VENDOR

No person may offer to give a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. An item offered or received with a fair market value greater than $10 shall give rise to a rebuttable presumption that the item could reasonably be expected to influence the local public official or be considered a reward. Any overnight trip, regardless of its purpose, taken by a local public official with a vendor doing business with the Village is prohibited unless prior approval by the Village Board of the local public official is received.

5. EXAMPLES OF PROHIBITED GIFTS

By way of illustration and not limitation, the following gratuities shall be considered anything of value, the receipt of which by a public official may be in violation of subsection 4 above. These are examples only, and receipt of any other gratuities of like value are also prohibited. Examples
are food and/or drink offered in connection with meetings concerning Village government, bottles of liquor, turkeys and meals.

6. EXAMPLES OF PERMISSIBLE GIFTS

For the purpose of illustration and not limitation, the following items shall not be deemed to be anything of value for purposes of subsection 4 above. These are examples only, and other gratuities of like value may also be acceptable. Examples are promotional items of small value with advertising prominently displayed, such as baseball caps, calendars, pens, pencils and ash trays.

7. CONFIDENTIAL INFORMATION

No local public official shall use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person if such information has not been communicated to the public or is not public information.

8. USE OF VILLAGE PROPERTY

No local public official shall use or permit the use of any Village property for personal convenience, use or profit.

9. EQUAL TREATMENT

No local public official shall grant special consideration, treatment or advantage to any person.

10. CONFLICT OF INTEREST; EXCEPTION.

A. Except as otherwise provided in subsection 4 above, no local public official may:

   (1) Take an official action affecting a matter in which the official, a member of his or her immediate family or an organization with which the official is associated has a substantial financial interest.

   (2) Use his or her office or position in a way that produces or assists in the production of financial gain or a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family, whether separately or together, or an organization with which the official is associated.
(3) Use or attempt to use his or her public position to influence or gain unlawful advantage or privileges for himself or herself or others.

B. This Section does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses nor does it prohibit a local public official from taking official action with respect to any proposal to modify Village law so long as the requirements of subsection 12 below are observed. This Section does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by Chapter 11 Wisconsin Statutes.

11. PUBLIC CONTRACTS

No local public official shall violate Section 946.13 Wisconsin Statutes, titled "Private interest in public contract prohibited."

12. DISCLOSURE OF INTEREST IN LEGISLATION

Any local public official who has a financial interest or personal interest in any proposed legislation before the Village Board or a constituent committee shall disclose on the record of the Village Board or the constituent committee the nature and extent of such interest.

13. ETHICS DECISIONS

The Village Board shall review and decide upon the ethics issues regulated under this Section in the manner set forth in subsection 14 below. In the event a Village Board Trustee is involved in an ethical issue that is before the Village Board for review and decision, such individual shall be excluded from voting and deciding on the matter.

14. ENFORCEMENT; VIOLATIONS AND PENALTIES

A. Complaint. Anyone desiring to report an alleged violation of this Section shall submit a verified complaint to the Village Board.

B. Investigation. Investigation of an alleged violation of this Section following submission of a verified complaint shall be conducted by the Village Board if the Village Board first finds that the complaint sets forth a probable violation. Once the Village Board determines that the complaint sets forth a probable violation, it shall continue to investigate the complaint as necessary and:

(1) Cause notice to be given to the subject of the complaint. Such notice shall specify the charges against the subject as well as a notice that the subject may file a written statement of his or her response to the complaint.

(2) Schedule and hold hearings on the complaint, if and as necessary.
(3) Hear the subject's position and the testimony of witnesses, if any.

(4) Permit the subject and the complainant to call such witnesses as either desires and to cross-examine the witnesses of the other.

(5) Consider the evidence presented and make findings thereon.

(6) By the Village Board President, make rulings on motions and objections made by any party in such a manner as to assure due process protection to the parties.

(7) Based upon the evidence presented to it, determine whether or not to seek imposition of a forfeiture.

(a) If a forfeiture is deemed advisable, the Village Board may direct the Village Attorney to start action in the name of the Village against the violator. When deciding to seek imposition of a forfeiture, the Village Board shall, at the time of notifying the Village Attorney, serve notice by mail upon the subject to the effect that a forfeiture will be sought against the subject, specifying the amount and that court action may be avoided if the amount specified is paid within thirty (30) days of the date of the notice. If a person against whom the Village Board decides to seek imposition of a forfeiture fails to pay the amount specified by the Village Board within thirty (30) days of the date of the notice, the Village Attorney shall initiate an action for the collection of the forfeiture in Circuit Court.

(b) If the Village Board determines that a violation of this Section occurred but it does not desire to seek a forfeiture, the Village Board may take other appropriate action as it sees fit. Other appropriate action may include issuing a written warning setting forth the specified violation. A violation of any provision of this Section may constitute a cause for suspension or removal from office or employment. Any Village Board member who is found to have violated any provision of this Section, in addition to any other penalties as prescribed herein by law, may be required to forfeit any per diem payments otherwise due and owing if the violation occurred during an event or meeting at which that member conducted or engaged in official Village business.

C. Penalty. For each violation of a provision of this Section for which no penalty is specified, the violator shall forfeit not less than $100 nor more than $1,000 for each offense.

D. Executive session. Pursuant to Section 19.85(1)(a), (b) and (f) Wisconsin Statutes, the Village Board shall conduct its hearing in executive session unless the subject requests an open hearing.

E. Records. All records of the Village Board relating to enforcement of this Section shall be closed to public investigation until a determination has been made by the Village Board, pursuant to this Section, that a violation of this Section has occurred. If the recommended discipline is a written warning, the Village Board shall further determine whether or not said warning shall be a public or private reprimand. All determinations by the Village Board as to public reprimands or warnings, or requests for forfeiture actions against a Village official or employee, shall be open records and accessible to the public.
15. ADVISORY OPINIONS

Any person subject to the provisions of this Section may at any time request the Village Board to issue an advisory opinion as to the applicability of this Section to any given set of facts. Such request shall be as detailed as possible and shall be in writing. The Village Board may request legal assistance from the Village Attorney, if necessary. Advisory requests and opinions shall be kept confidential, except where disclosure is authorized by the subject of the inquiry, in which case the request and opinion may be made public.
VILLAGE OF CHENEQUA
ORDINANCE NO. 2020-03-09-01

AN ORDINANCE TO CREATE A NEW SECTION 1.15 IN CHAPTER 1 OF THE VILLAGE CODE ADOPTING A MUNICIPAL CODE OF ETHICS

WHEREAS, local officials are governed by a state code of ethics that sets forth minimum requirements under Section 19.59 Wisconsin Statutes; and

WHEREAS, the Village Board of the Village of Chenequa desires to adopt a municipal code of ethics to applicable to elective and appointive offices or positions within the Village of Chenequa in order to clarify and supplement the minimum requirements set forth under state law.

NOW, THEREFORE, the Village Board of the Village of Chenequa, Waukesha County, Wisconsin, does hereby ordain and adopt Section 1.15 of the Village Code as follows:

SECTION 1

Section 1.15 of the Village of Chenequa Code entitled, “Code of Ethics” Section 1.15 is hereby adopted as follows:

1.15 CODE OF ETHICS

1. DECLARATION OF FINDINGS

The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established this Code of Ethics for Village officials. The purpose of this Section is to establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interest of the Village and its residents. The Village Board finds that this Section will help avoid conflicts, will improve standards of public service, and will promote and strengthen the confidence of Village residents in their public officials. This Section is enacted pursuant to the authority set forth in Section 19.59 Wisconsin Statutes.

2. DEFINITIONS

The terms used herein shall be defined as follows:

ANYTHING OF VALUE — Any money or property, favor, service, payment, advance, forbearance, loan or promise of future payment, but does not include compensation and expenses paid by the Village, fees and expenses which are permitted and reported under Section 19.56 Wisconsin Statutes, political contributions which are recorded under Chapter 11 Wisconsin Statutes, or hospitality extended for a purpose unrelated to Village business by a person other than an organization.

ASSOCIATED — When used with reference to an organization, includes any organization in which an individual or a member of his or her immediate family is a director, officer or trustee,
or owns or controls, directly or indirectly, severally or in aggregate, at least 10% of the outstanding equity, or of which an individual or a member of his or her immediate family is an authorized representative or agent.

GIFT — The payment or receipt of anything of value without valuable consideration.

IMMEDIATE FAMILY — A local public official's spouse, son, daughter, mother, father, sister, brother, mother-in-law, father-in-law, stepmother, stepfather, stepson, stepdaughter, stepsister, stepbrother, son-in-law or daughter-in-law.

LOCAL PUBLIC OFFICE — Any of the following offices:
A. An elective office of the Village or its government.
B. The Village Administrator.
C. An appointive office or position of the Village government which is filled by the Village Board or the Village President and in which the incumbent serves at the pleasure of the appointing authority, including the Village Forester, Village Clerk-Treasurer, and local building inspectors, but excepting other clerical positions, positions limited to the exercise of ministerial action or positions filled by an independent contractor.
D. An appointive office or position of the Village government in which an individual serves for a specified term, except for a position limited to the exercise of ministerial action or a position filled by an independent contractor.
E. A position of department head for the Village, which includes all program directors and administrators who supervise and implement their respective programs and report directly to the Village Board.

LOCAL PUBLIC OFFICIAL — An individual holding a local public office.

3. STANDARDS OF CONDUCT
A. The Village Board recognizes that:

(1)In a representative democracy its leaders are drawn from the very society that they serve; therefore, they cannot and should not be expected to be without any personal or economic interest in the decisions and policies of government;

(2)Citizens who serve as local public officials retain their rights as citizens to interests of a personal and economic nature;

(3)The standards of ethical conduct for local public officials need to distinguish between minor and inconsequential conflicts that are unavoidable in a free society and those conflicts which are substantial and material; and

(4)Local public officials may need to engage in employment, professional or business activities other than official public duties in order to support themselves or their families and to maintain a continuity of professional business activity or may need to maintain investments; however, such activities or investments must not conflict with the specific provisions of this Section.

B. This Section does not prevent a local public official from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge of his or her duties as a local public official.
4. OFFER OR ACCEPTANCE OF GIFTS; OVERNIGHT TRAVEL WITH VENDOR

No person may offer to give a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. An item offered or received with a fair market value greater than $10 shall give rise to a rebuttable presumption that the item could reasonably be expected to influence the local public official or be considered a reward. Any overnight trip, regardless of its purpose, taken by a local public official with a vendor doing business with the Village is prohibited unless prior approval by the Village Board of the local public official is received.

5. EXAMPLES OF PROHIBITED GIFTS

By way of illustration and not limitation, the following gratuities shall be considered anything of value, the receipt of which by a public official may be in violation of subsection 4 above. These are examples only, and receipt of any other gratuities of like value are also prohibited. Examples are food and/or drink offered in connection with meetings concerning Village government, bottles of liquor, turkeys and meals.

6. EXAMPLES OF PERMISSIBLE GIFTS

For the purpose of illustration and not limitation, the following items shall not be deemed to be anything of value for purposes of subsection 4 above. These are examples only, and other gratuities of like value may also be acceptable. Examples are promotional items of small value with advertising prominently displayed, such as baseball caps, calendars, pens, pencils and ash trays.

7. CONFIDENTIAL INFORMATION

No local public official shall use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person if such information has not been communicated to the public or is not public information.

8. USE OF VILLAGE PROPERTY

No local public official shall use or permit the use of any Village property for personal convenience, use or profit.

9. EQUAL TREATMENT

No local public official shall grant special consideration, treatment or advantage to any person.

10. CONFLICT OF INTEREST; EXCEPTION.

A. Except as otherwise provided in subsection 4 above, no local public official may:

   (1) Take an official action affecting a matter in which the official, a member of his or her immediate family or an organization with which the official is associated has a substantial financial interest.
(2) Use his or her office or position in a way that produces or assists in the production of financial gain or a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family, whether separately or together, or an organization with which the official is associated.

(3) Use or attempt to use his or her public position to influence or gain unlawful advantage or privileges for himself or herself or others.

B. This Section does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses nor does it prohibit a local public official from taking official action with respect to any proposal to modify Village law so long as the requirements of subsection 12 below are observed. This Section does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by Chapter 11 Wisconsin Statutes.

11. PUBLIC CONTRACTS

No local public official shall violate Section 946.13 Wisconsin Statutes, titled "Private interest in public contract prohibited."

12. DISCLOSURE OF INTEREST IN LEGISLATION

Any local public official who has a financial interest or personal interest in any proposed legislation before the Village Board or a constituent committee shall disclose on the record of the Village Board or the constituent committee the nature and extent of such interest.

13. ETHICS DECISIONS

The Village Board shall review and decide upon the ethics issues regulated under this Section in the manner set forth in subsection 14 below. In the event a Village Board Trustee is involved in an ethical issue that is before the Village Board for review and decision, such individual shall be excluded from voting and deciding on the matter.

14. ENFORCEMENT; VIOLATIONS AND PENALTIES

A. Complaint. Anyone desiring to report an alleged violation of this Section shall submit a verified complaint to the Village Board.

B. Investigation. Investigation of an alleged violation of this Section following submission of a verified complaint shall be conducted by the Village Board if the Village Board first finds that the complaint sets forth a probable violation. Once the Village Board determines that the complaint sets forth a probable violation, it shall continue to investigate the complaint as necessary and:

(1) Cause notice to be given to the subject of the complaint. Such notice shall specify the charges against the subject as well as a notice that the subject may file a written statement of his or her response to the complaint.

(2) Schedule and hold hearings on the complaint, if and as necessary.

(3) Hear the subject's position and the testimony of witnesses, if any.

(4) Permit the subject and the complainant to call such witnesses as either desires and to
cross-examine the witnesses of the other.

(5) Consider the evidence presented and make findings thereon.

(6) By the Village Board President, make rulings on motions and objections made by any party in such a manner as to assure due process protection to the parties.

(7) Based upon the evidence presented to it, determine whether or not to seek imposition of a forfeiture.

(a) If a forfeiture is deemed advisable, the Village Board may direct the Village Attorney to start action in the name of the Village against the violator. When deciding to seek imposition of a forfeiture, the Village Board shall, at the time of notifying the Village Attorney, serve notice by mail upon the subject to the effect that a forfeiture will be sought against the subject, specifying the amount and that court action may be avoided if the amount specified is paid within thirty (30) days of the date of the notice. If a person against whom the Village Board decides to seek imposition of a forfeiture fails to pay the amount specified by the Village Board within thirty (30) days of the date of the notice, the Village Attorney shall initiate an action for the collection of the forfeiture in Circuit Court.

(b) If the Village Board determines that a violation of this Section occurred but it does not desire to seek a forfeiture, the Village Board may take other appropriate action as it sees fit. Other appropriate action may include issuing a written warning setting forth the specified violation. A violation of any provision of this Section may constitute a cause for suspension or removal from office or employment. Any Village Board member who is found to have violated any provision of this Section, in addition to any other penalties as prescribed herein by law, may be required to forfeit any per diem payments otherwise due and owing if the violation occurred during an event or meeting at which that member conducted or engaged in official Village business.

C. Penalty. For each violation of a provision of this Section for which no penalty is specified, the violator shall forfeit not less than $100 nor more than $1,000 for each offense.

D. Executive session. Pursuant to Section 19.85(1)(a), (b) and (f) Wisconsin Statutes, the Village Board shall conduct its hearing in executive session unless the subject requests an open hearing.

E. Records. All records of the Village Board relating to enforcement of this Section shall be closed to public investigation until a determination has been made by the Village Board, pursuant to this Section, that a violation of this Section has occurred. If the recommended discipline is a written warning, the Village Board shall further determine whether or not said warning shall be a public or private reprimand. All determinations by the Village Board as to public reprimands or warnings, or requests for forfeiture actions against a Village official or employee, shall be open records and accessible to the public.

15. ADVISORY OPINIONS

Any person subject to the provisions of this Section may at any time request the Village Board to issue an advisory opinion as to the applicability of this Section to any given set of facts. Such request shall be as detailed as possible and shall be in writing. The Village Board may request
legal assistance from the Village Attorney, if necessary. Advisory requests and opinions shall be kept confidential, except where disclosure is authorized by the subject of the inquiry, in which case the request and opinion may be made public.

SECTION 2. SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage and publication as provided by law.


VILLAGE OF CHENEQUA

By: ___________________________

Jo Ann F. Villavicencio
Village President

Attest:

Pamela Ann Little
Village Clerk-Treasurer

Date Adopted: March 9, 2020
Date Posted: March 10, 2020
1.5 BOARD OF TRUSTEES.

(1) NUMBER. The Village Board of Trustees ("Trustees") shall consist of seven (7) members.

(2) BY-LAWS.

(a) MEETING LOCATION. All meetings of the Village Board shall be held at the Village Hall, 31275 W. County Road K, Chenequa WI 53209 and at such other locations as specified in the Village Board’s Public meeting notices.

(b) MEETING ATTENDANCE. Each Trustee shall be expected to attend all meetings except as they are prevented by a valid reason.

(c) REGULAR MEETINGS. Regular meetings of the Village Board shall be held on the second Monday of each month at 6:30 p.m. or immediately following adjournment of the Plan Commission. If such day falls on a holiday, the regular meeting for that month shall be held on the following Monday at the same time. No notice to members of the Village Board shall be required for regular meetings.

(d) SPECIAL MEETINGS. Special meetings of the Village Board may be called by any two Trustees or by the President by notice in writing filed with the Village Clerk Treasurer, who shall thereupon notify all of the Trustees in the manner herein provided.

(e) NOTICE OF SPECIAL MEETINGS. Notice of special meetings shall be given by the Village Clerk-Treasurer by letter in writing duly stamped and addressed to the Trustees and placed in the mail at least forty-eight (48) hours before time set for the meeting or by personal service of said notice upon the Trustees at least twenty-four (24) hours before the time set for the meeting. If all of the Trustees are present and consent in writing thereto, waiving such notice, a special meeting may be held forthwith.

(f) QUORUM. At any and all meetings of the Village Board, four (4) members shall constitute a quorum for the transaction of business.

(g) OPEN MEETINGS LAW COMPLIANCE. All meetings shall be held in compliance with Wisconsin open meetings laws, as enumerated under Sections 19.81 to 19.98 Wisconsin Statutes.

(h) PARLIAMENTARY AUTHORITY. The rules contained in Robert’s Rules of Order, latest revised edition, shall govern the parliamentary procedure of the meetings, in all cases in which they are not inconsistent with these bylaws and any statutes applicable to the Village Board.

(i) GENERAL.

(i) An affirmative vote of the majority of all members of the Village Board present at the time shall be necessary to approve any action before the Village Board unless otherwise required under applicable law. The President may vote upon and may move or second a proposal before the Village Board.

(ii) Any rule or resolution of the Village Board, whether contained in these by-laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-third (2/3) of the Trustees are present and two-thirds (2/3) of those present so approve.

(iii) These by-laws may be amended at any regular meeting of the Village Board by majority vote of all Trustees.

These by-laws may be amended, altered or repealed in whole or in part at any regular meeting, or at any special meeting called for that purpose.
AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 1.5 OF THE VILLAGE CODE
ADOPTING NEW BYLAWS GOVERNING THE VILLAGE BOARD OF TRUSTEES

WHEREAS, Section 1.5 of the Village Code sets forth by-laws applicable to the Village Board; and

WHEREAS, the Village Board desires to repeal and re-create Section 1.5 to supplement the by-laws and clarify the procedures and requirements governing the Village Board of Trustees.

NOW, THEREFORE, The Village Board of the Village of Chenequa, Waukesha County, Wisconsin, does hereby ordain and adopt a repealed and re-created Section 1.5 of the Village Code as follows:

SECTION 1
Section 1.5 of the Village of Chenequa Code entitled, “Board of Trustees” Section 1.5 is hereby repealed and re-created as follows:

1.5 BOARD OF TRUSTEES.

(1) NUMBER. The Village Board of Trustees (“Trustees”) shall consist of seven (7) members.

(2) BY-LAWS.

(a) MEETING LOCATION. All meetings of the Village Board shall be held at the Village Hall, 31275 W. County Road K, Chenequa WI 53209 and at such other locations as specified in the Village Board’s Public meeting notices.

(b) MEETING ATTENDANCE. Each Trustee shall be expected to attend all meetings except as they are prevented by a valid reason.

(c) REGULAR MEETINGS. Regular meetings of the Village Board shall be held on the second Monday of each month at 6:30 p.m. or immediately following adjournment of the Plan Commission. If such day falls on a holiday, the regular meeting for that month shall be held on the following Monday at the same time. No notice to members of the Village Board shall be required for regular meetings.

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(f) OPEN MEETINGS LAW COMPLIANCE. All meetings shall be held in compliance with Wisconsin open meetings laws, as enumerated under Sections 19.81 to 19.98 Wisconsin Statutes.

(g) PARLIAMENTARY AUTHORITY. The rules contained in Robert’s Rules of Order, latest revised edition, shall govern the parliamentary procedure of the meetings, in all cases in which they are not inconsistent with these bylaws and any statutes applicable to the Village Board.

(h) GENERAL.

(i) An affirmative vote of the majority of all members of the Village Board present at the time shall be necessary to approve any action before the Village Board unless otherwise required under applicable law. The President may vote upon and may move or second a proposal before the Village Board.

(ii) Any rule or resolution of the Village Board, whether contained in these by-laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-third (2/3) of the Trustees are present and two-thirds (2/3) of those present so approve.

(iii) These by-laws may be amended at any regular meeting of the Village Board by majority vote of all Trustees.

SECTION 2. SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or potion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage and publication as provided by law.


VILLAGE OF CHENEQUA

By: ________________________________
    Jo Ann F. Villavicencio
    Village President

Attest:

______________________________
Pamela Ann Little
Village Clerk-Treasurer
Date Adopted: March 9, 2020
Date Posted: March 10, 2020
Lake Treatments

As in previous years, the Village plans to continue to treat both Pine and Cornell Lakes for Eurasian Water Milfoil. It seems that our treatments have been effective at reducing the population size and growth rate of this invasive species. As many have requested, we will attempt to treat the lake in early to mid-June this year so we do not conflict with the TRAP Regatta or 4th of July.

Additionally, this summer we will be on high alert for the new invasive species Starry Stonewort. This rapid spreading aquatic plant has already been discovered in many area lakes and experts are unsure how severe of an impact SSW will make on our area lakes and streams. At the moment chemical and mechanical control mechanisms are minimally effective. The best control is to make sure boats entering the lake are not contaminated with weeds and algae from surrounding lakes.

Goose Egg Oiling

The Village has again contracted with the United State Department of Agriculture (USDA) – Wildlife Services to reduce the local Canada goose population. Employees from Wildlife Services will be out on Pine Lake mid-April to locate nests and oil the eggs. Once the eggs are sprayed with vegetable oil, the eggs cease to develop and are collected several weeks later by Wildlife Services personnel.

The program has resulted in a gradual reduction of eggs and nests on Pine Lake.

<table>
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<th>Year</th>
<th>Eggs Removed</th>
<th>No. of Nests</th>
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<td>27</td>
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<tr>
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</tr>
<tr>
<td>2019</td>
<td>49</td>
<td>10</td>
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Oak Wilt

As the snow melts and temperatures rise our oak cutting season begins to wind down. The general rule is, you should not cut oaks after six consecutive days of 60-degree temperatures. With this unseasonably warm weather oak cutting season may end much sooner this year than previous years. Fortunately, residents with oak wilt on their property have been extremely responsive and almost all the trees have been removed. There are still a few trees standing but these trees are scheduled to be removed within the next week or two. We can only hope that continuing into the future we will see a trend towards smaller oak wilt pockets and less infected trees.