

TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
JANUARY 15, 2003
MINUTES

Mr. Wilton called the meeting to order at 8 p.m. and led the Pledge of Allegiance.

Present: Wilton, Burton, Malek, Orchard, Kwiatkowski. Also present: Atty. Adelman, Treasurer Pasterski, Clerk McMillan.

Minutes- Motion by Orchard, seconded by Kwiatkowski to approve the minutes from December 18, 2002 as written. Motion carried.

Clerk's Report- The next town newsletter will be sent out later than expected, hopefully by the end of the month.

Treasurer's Report- Treasurer Pasterski reported December receivables were \$2,545,278.85. Total held in all accounts as of 12/31/02 was \$2,970,240.61. Mr. Burton asked that the date of transfers between accounts be added to the report for clarity. A budget recap showed total expenses for 2002 at \$946,349, which is \$79,248 under the budgeted amount. Motion by Kwiatkowski, seconded by Malek to approve the treasurer's report with the addition of the date 12/16/02 on the "transferred to checking" line. Motion carried.

Claims- Claims totaling \$2,417,597.33 were reviewed. Questions arose regarding refund policies with regard to cancelled building permits. Mr. Burton suggested a policy also be developed for cancelled culvert permits. The issue will be put on the next agenda. Motion by Kwiatkowski, seconded by Burton to approve payment of the claims. Motion carried.

Sheriff's Dept.- C. Spielvogel was present to ask the board if there are any concerns. There were none. Waukesha County Sheriff's Dept. appearance will be added as a recurring agenda item.

Library- No report.

Lake Management/Lake Patrol- Lake District meetings are scheduled for 1/21/03 and 1/22/03 at 7:30 p.m. Three contractors were contacted for bids for the dry hydrant. Bids are coming in high.

Fire District- New officers were instated at the last Fire Commission meeting. Atty. Adelman has been asked to look into the possibility of an ordinance that would allow withholding liquor licenses as a means to enforce corrections ordered by the fire inspector.

Park & Recreation- Responsibility for Park & Rec accounting has been transferred from the village clerk to the town clerk. The funds remaining in the village account are expected to be transferred in February. Eagle joined Mukwonago, Vernon and North Prairie in the formation of a new community league for soccer, baseball and flag football.

Business Park – Results of a special inspection of business park properties performed by Mr. Malek along with the building inspector were reviewed. Discussion followed regarding rules and enforcement. Plans of operations will be examined for consistency and conformity to the business park regulations document. Atty. Adelman advised a new ordinance might be necessary to address enforcement issues and/or additions to the regulations.

Roads- Atty. Adelman presented information gathered from ordinances in Mukwonago, Madison and Milwaukee regarding the utility/cable permit fees ordinance. The board reviewed and gave recommendations for issues regarding fees, financial guarantees, excavation methods, application, insurance/indemnity for personal injury, safety measures, traffic control, inspection, structure removal, grade changes, emergencies, revocation procedures and penalties.

County Highway Map- Mr. Wilton recommended denial of Waukesha County's proposal for street and highway widths. He would like to maintain a 66-ft. standard width; Sprague Road was presented as 80 feet. In addition, he

disagreed with the classification of Road X and Wilton Road as collector roads. Motion by Kwiatkowski, seconded by Malek to instruct the town engineer to send a letter advising the county of the denial. Motion carried.

Garbage/Recycling- Mr. Kwiatkowski reported the town's recycling rate in 2002 was 276 lbs. per capita. The Wisconsin DNR requires 106.6 lbs. Future recycling grants may get reduced due to state budget cuts.

Conditional Use Permits- Permits were reviewed at a special meeting on 1/13/03 to develop a list of those to be terminated. Discussion followed regarding partial elimination of permits. Atty. Adelman advised that if the permits are not conforming to the original approval, a portion may be eliminated. Procedures for public hearing and notification would be the same. Atty. Adelman will draft the legal notice for the hearing when the termination list is finalized.

Bartender's License- One application for a bartender's license was received from Eagle Springs Pub. Motion by Kwiatkowski, seconded by Malek to reject until the application is filled out in its entirety Motion carried.

Town Website- The town's new website is online. The web address has changed to <http://www.townofeaglewi.us>.

Chairman's Report- Mr. Wilton reported he met with some village board members to open a dialogue regarding the village well and a possible border agreement. Mr. Kwiatkowski will participate in future discussions. There are still questions about water blending and volume. Confirmation will be sought from the engineer. Monitoring of wells will occur for testing. Village board members suggested a border agreement be discussed; the village apparently favors no further development.

Village Well Update- Covered in chairman's report.

Municipal Court Fees- Motion by Kwiatkowski, seconded by Malek to table. Motion carried.

Attorney's Report- Atty. Adelman reported on the recent court appearance regarding the Stiglitz property on Nature Road. The judge agreed that the vehicles that remain on the property are junk, and authorized the town go forward with removal.

Closed Session- Motion by Kwiatkowski, seconded by Malek to go into closed session per Wis. Stats. 19.85(1)(g) to confer with legal counsel concerning strategy with respect to litigation. Roll call vote was taken. Wilton- yes, Burton- yes, Orchard- yes, Kwiatkowski- yes, Malek- yes. Motion carried. Closed session followed. Motion by Kwiatkowski, seconded by Malek to return to open session. Motion carried. Motion by Kwiatkowski, seconded by Malek to go out for bids for the cleanup of the Stiglitz property. Motion carried.

Motion by Kwiatkowski, seconded by Malek to adjourn at 10:50 p.m. Motion carried.

Sally McMillan
Town Clerk