

TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
FEBRUARY 19, 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 Burton, seconded by Malek to accept the minutes from January 15, 2003 as presented. Motion carried.

Clerk's Report- A new ".gov" domain name will be obtained from the State Dept. of Electronic Government for the town website, free of charge. Web hosting through the state was determined to be too costly. Cable services including Internet are being investigated, and may be available at no cost for the entire municipal building. The town's insurance policies are due for renewal. Board members requested that a representative from Laub & Horton be invited to the next meeting to review coverage, give a comparison of costs from last year to this year, and explore possible savings by raising the deductible amounts.

Sheriff's Dept.- Capt. Karen Ruff from the Waukesha County Sheriff's Dept. was present and distributed a brochure summarizing community programs offered by the department. She reported they are striving to consistently use the same officers for patrolling our area to increase familiarity.

Treasurer's Report- Treasurer Pasterski reported January receivables were \$921,766.99. Total held in all accounts as of 1/31/03 was \$1,497,766.99. Motion by Kwiatkowski, seconded by Orchard to approve the treasurer's report. Motion carried.

Claims- Claims totaling \$780,319.18 were reviewed. Motion by Burton, seconded by Kwiatkowski to pay the claims as presented. Motion carried.

Park & Recreation- Coordinator Al Schmidt reported soccer participation is up from last year. 213 children have registered so far, and he anticipates 25-50 more will sign up by the end of the month. Arrangements have been made with Palmyra-Eagle High School coaches for a basketball clinic for children in grades 5-8 beginning March 15. Registration for that program and summer baseball will be held March 8. The Park & Rec Dept. will promote and help with registration for the swimming lessons sponsored by the Eagle Lions Club. Adult exercise and yoga classes are also available.

Library- Librarian Barb Jatzak reported the Story Hour program for preschoolers is again being held twice a month on Wednesday mornings. The Lions Club donated ten books concerning diabetes. A DVD about Benjamin Franklin was donated by Northwest Mutual Foundation. The library's annual report will be completed by April 1. Job descriptions are being reviewed and revised. A long-range plan for the library will be developed over the next six months.

Lake Management/Lake Patrol- Mr. Malek reported the Lake Patrol's audit report and state aid application have been submitted. Tom Day will make a recommendation to the Town Board for the dry hydrant at the March meeting. 45 residents attended the January 22 meeting of the Lake District and voted to pursue a drawdown with removal of soft sediment. The first meeting of the Technical Committee to begin developing the drawdown plans will be held on March 7. The process to chemically treat approximately eight acres on the lake has begun.

Fire District- The annual report has been prepared and distributed. Volunteers were thanked for their part in saving the district approximately \$70,000 versus a paid-on-call workforce. A new medical director is on board. The IV Tech training program is underway.

Culvert Permit- Mr. Burton recommended a partial refund for a culvert permit that was approved but will not be used. Motion by Burton, seconded by Kwiatkowski to rebate \$40 to David Cass for an unused culvert permit. Motion carried.

Waukesha County Shoreland & Floodland Protection Ordinance- According to Mr. Wilton, Town Engineer Steve Hauser and Town Planner Tom DeLacy reviewed the proposed amendments to the county's ordinance and agreed they would not affect the Town of Eagle much. Mr. Day commented most of the amendments were lake-friendly. Mr. Kwiatkowski would like Mr. DeLacy to re-examine the amendments.

Business/Industrial Park – The clerk has begun pulling the Plan of Operation files for the Industrial Park businesses. Copies of the files will be sent along with the site plans to Mr. Malek for review, and further discussion will be held at an upcoming Planning & Zoning meeting.

Roads- An ordinance to regulate excavation in town roads was reviewed. Basically the ordinance would control methods of excavation and require a permit, an application, a permit fee, and financial guarantees for restoration and indemnity. Motion by Burton, seconded by Wilton to set the permit fee at \$65 unless the engineer has to be contacted, in which case those charges would be additional. Motion carried. Motion by Kwiatkowski, seconded by Malek to set the forfeiture for violations at a minimum of \$250 and a maximum of \$500 per day. Motion carried. Motion by Kwiatkowski, seconded by Malek to adopt the ordinance as presented. Motion carried.

Garbage/Recycling- Mr. Kwiatkowski reported several residents have expressed a negative response to the use of the single-stream recycling totes. Discussion followed. Mr. Kwiatkowski will contact Johns Disposal Service and request sample units for display on the next election day, April 1.

Conditional Use Permits- An updated list of active and inactive conditional use permits will be prepared for review at the next Planning & Zoning Commission meeting.

Holding Tank Permit - An application for a holding tank permit for the Frith property located at S108 W34656 South Shore Drive was reviewed. Motion by Kwiatkowski, seconded by Malek to approve. Motion carried.

Village of Eagle Well Update- Mr. Wilton and Mr. Kwiatkowski attended an informal information-sharing session with the Village President, a Village Trustee and the Village Engineer regarding the new wells. Apparently there are several wells being monitored both on and off-site. The village's current intent appears to be to supply 100% of their water from the new wells. There have been no permits applied for, nor any bids solicited for any type of water blending system. A town resident who attended the Village Board meeting on February 13 stated that the rezone was approved by the Village Board without discussion, and he was not given an opportunity to ask questions until after the approval was already voted on. Atty. Adelman reported the town's request for a temporary injunction to prevent any further proceedings on the well-site property while the court case is pending was heard today. The town is challenging the annexation and the rezoning of the property. The court basically agreed with the village's argument regarding the annexation, but agreed with the town's argument regarding the improper notice for the rezone and therefore the rezone was invalidated. The rezoning procedure will have to be repeated if the village still wants to rezone the land. The trial is scheduled for April 1. Discussion followed regarding the size of the parcel that was annexed, and if a portion of that land was sold back to the previous owner. Mr. Wilton will contact the Village Board to see if they are willing to discuss a resolution out of court. Discussion then followed concerning the well testing and monitoring procedures, and if the tests being performed will be adequate to reveal the true effects on the surrounding area.

Resolutions- A resolution supporting the elimination of state shared revenues to towns in exchange for permanent boundaries was reviewed. Motion by Orchard, seconded by Malek to adopt the resolution as presented. Motion carried. A resolution amending the price of lots in Oak Grove and Jericho Cemeteries from \$250 to \$300 as recommended by the cemetery sexton was reviewed. Motion by Kwiatkowski, seconded by Malek to approve the cemetery resolution. Motion carried.

Municipal Court Fees- Discussion was deferred until next month at Atty. Adelman's request.

Vehicle & Personal Property Removal- Atty. Adelman informed the board that the contractor that performed a similar vehicle removal in the Town of Waukesha was not interested in bidding on our town's project at the Stiglitz property on Nature Road. Mr. Wilton will contact the Town Zoning Director to request that he seek out other possible bidders.

Attorney's Report- Atty. Adelman advised her research showed that liquor licenses can, by ordinance, be withheld from establishments that do not comply with directives issued by the Fire Inspector. She will draft an ordinance for that purpose for consideration next month.

Chairman's Report- Mr. Wilton reported there have been complaints associated with a tree house located on town property on South Shore Drive that is creating possible public safety hazards. Motion by Kwiatkowski, seconded by Malek to have the tree house removed and to have the tree cut down if it is not an oak. Motion carried.

Motion by Burton, seconded by Malek to adjourn at 9:50 p.m. Motion carried.

Sally McMillan
Town Clerk