

TOWN OF EAGLE  
REGULAR TOWN BOARD MEETING  
MARCH 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 Orchard, seconded by Kwiatkowski to accept the minutes from February 19, 2003 as submitted. Motion carried. Motion by Kwiatkowski, seconded by Malek to accept the minutes from February 27, 2003 as presented. Motion carried. Motion by Kwiatkowski, seconded by Orchard to accept the minutes from March 12, 2003 as presented. Motion carried.

Clerk's Report- An application for a bartender's license from Eagle Spring Pub for Stephanie Roberts was reviewed. Motion by Orchard, seconded by Burton to approve the license. Motion carried. After discussion, it was decided that meeting agendas could be added to the town website.

Treasurer's Report- Mr. Pasterski reported February receivables were \$77,574.98. Total held in all accounts as of 2/28/03 was \$796,071.56. Motion by Burton, seconded by Malek to approve the treasurer's report as presented. Motion carried.

Culvert Request- Debi Radtke, S75 W35390 Wilton Road, requested permission to install a second culvert on the east edge of her property. She presently has to block traffic in order to back into her driveway with her horse trailer, which she feels is a potentially dangerous maneuver. Motion by Kwiatkowski, seconded by Malek to have Mr. Burton inspect the proposed second entrance area, and upon his review and approval, allow the culvert as requested. Motion carried.

Street Lighting Request- Jim Hansen submitted a request on behalf of the Jericho Corners Addition #1 Homeowners Assn. to light the three entrances of that subdivision. Mr. Wilton stated Irene Roberts of Jericho Drive gave her opinion by phone that she prefers no streetlights. A letter from Jackie Lewis of Highway NN was read into the record. She would prefer not to have lights, does not approve of providing subdivision lighting at the Town's expense and suggested alternatives such as reflective street signs, a small pole lamp or shielded lighting on the subdivision sign. Mr. Hansen clarified that the lighting requested would be decorative lighting, not a full-sized streetlight, with just enough light to illuminate the signs or intersections at night, yet not be considered a nuisance. Discussion followed regarding safety concerns, location of the proposed lights and the amount of light that would be emitted. The cost of lights, installation and operational costs would be the responsibility of the Homeowners Association. Mr. Hansen will have a plan prepared and return next month.

Bike Race Request- The UW-Whitewater Cycling Team submitted a written request to allow the use of portions of Betts Road, Estates Drive and Draper Road as part of the course for a race to be held on May 3<sup>rd</sup>. The board had questions and concerns regarding the request. Motion by Wilton, seconded by Malek to have the clerk call the race organizer and request that he appear at the Planning & Zoning Commission/Town Board meeting on April 7. Motion carried.

Library- Barb Jatzak reported on library events including a teen movie night, summer programs, a contest sponsored by Culvers, an art display prepared by classes at Eagle Elementary School and the development of a teen media center.

Claims- Claims totaling \$44,241.51 were reviewed. Motion by Burton, seconded by Malek to pay the claims as presented. Motion carried.

Sheriff's Dept.- No report.

Fire District- The Fire Department's full-time employee resigned effective April 1. The process to hire a replacement will begin as soon as possible, however Mr. Wilton would like to obtain clarification on legal considerations first.

Town Insurance Renewal- Rob Krohlow from Laub & Horton reviewed with the board current coverage and premiums, as well as cost comparisons based on possible changes to deductible amounts. Premium costs if all coverage remained the same would go up 15%. Discussion followed. The board made plans for further evaluation of the property limits for Town buildings and contents. Motion by Kwiatkowski, seconded by Malek to increase the deductible on property coverage to \$5000. Motion carried. Motion by Kwiatkowski, seconded by Malek to keep the same deductible on auto coverage- \$250 comprehensive and \$500 collision. Motion carried. Mr. Krohlow will advise the clerk of the new premium, reflecting the change to the deductible amount. Any decreases to the premium as a result of changes to property limits (after the evaluation is completed) will be refunded to the Town.

Lake Management/Lake Patrol- Tom Day reported the Lake District annual meeting will be August 16. Approval was received from the DNR for the chemical treatment of eight acres of the lake for Eurasian Milfoil. The district has agreed to sponsor a river protection grant request. A bid proposal for \$8800 for the dry hydrant was presented. Mr. Day explained the Lake Management District will pay \$2200 and the Town, if the bid is accepted, would pay the remaining \$6600. Discussion followed. Motion by Kwiatkowski, seconded by Malek to proceed with the dry hydrant project and pay half of the 1/3 down payment, with the provision that the engineer inspects and makes sure it complies with the design. Motion carried 3-2.

Liquor License/Fire Inspector Ordinance- Attorney Adelman gave details on the proposed ordinance, which would require Class A & B liquor license holders to comply with the orders of the fire inspector. Violation would result in issuance of a citation and would be cause for the Town Board to revoke, suspend or refuse to renew the violator's liquor license. Motion by Wilton, seconded by Kwiatkowski to approve the ordinance. Motion carried. Motion by Malek, seconded by Kwiatkowski to set the forfeiture for violations at a minimum of \$500 and maximum of \$5000 per day. Motion carried.

Park & Recreation- A financial update will be prepared for next month's meeting.

Roads- Mr. Wilton examined Eagle Oaks Subdivision with the Town Engineer to begin background work for this year's roadwork project.

Industrial/Business Park- Mr. Malek reported the businesses' plans of operations will be discussed at the April P & Z meeting. The Industrial Park committee will be asked to investigate reports of creosote lumber being burned on one of the properties.

Garbage/Recycling- Mr. Kwiatkowski will obtain samples of the single-stream recycling/garbage totes to display at the Town Hall beginning on April 1. Informative leaflets will also be supplied and Town residents will be asked to give their opinion on the proposed new system. Total recyclables for last month was 30 tons, or 19 lbs. per capita.

Conditional Use Permits- The hearing for discontinuance of inactive Conditional Use Permits will be held at 7:45 p.m. on April 7.

Village of Eagle Well Update- Arrangements have been made to monitor five Town residents' wells. Discussion followed regarding testing procedures, aquifer drawdown and conventional engineering practices. The board answered questions from concerned citizens about the annexation and rezoning of the well site, about special meetings that were held and the proposal that was submitted to the Village Board attempting to settle the related lawsuit. Mr. Wilton explained the Town is waiting for a response from the Village to the proposal, which included a border agreement, a grievance committee for Town residents in the affected area to appeal to for compensation if they experience well problems, and a provision for potable water within 24 hours to anyone in the affected area whose well is not functioning at all.

SEWRPC Assistance- The Southeastern Wisconsin Regional Planning Commission has offered to assist in the process of evaluating the environmental impacts associated with the proposed installation of the Village's wells, if requested jointly by the Town, Village and Lake Management District. Motion by Kwiatkowski, seconded by Malek to have the

Town legal staff draft a letter to SEWRPC stating the Town will participate in the request for their review and evaluation. Motion carried.

Village of Eagle Ordinance to Detach Territory- An ordinance to detach territory was received from the Village, that territory being a portion of the land recently annexed by the Village for the well site. Motion by Kwiatkowski, seconded by Malek to adopt an ordinance accepting the detachment of territory from the Village of Eagle, and to have the Town Attorney create the ordinance and allow the chairman and clerk sign it. Motion carried.

Court/Attorney Fees Ordinance- Atty. Adelman explained the proposed ordinance, which was created to return excess costs to the Town for attorney's fees (up to \$75) for additional procedures for those seeking relief from a judgment in the municipal court. Motion by Kwiatkowski, seconded by Orchard to approve the ordinance authorizing fees for relief from judgments. Motion carried.

Attorney's Report- A forfeiture of \$850 was imposed by the court on the Kestlys, however reports have been received of continued zoning code violations. Motion by Kwiatkowski, seconded by Malek to direct the building inspector to examine the Kestly property once a week. Motion carried. Engineer Steve Schultz gave his deposition to Atty. Adelman regarding the Village wells. A potential bidder has been found for the removal of vehicles on the Stiglitz property.

Chairman's Report- The Town Park committee has lost members due to relocation, etc. Motion by Kwiatkowski, seconded by Burton to approve the appointment of Karen Bennett to the Park Committee. Motion carried.

Motion by Burton, seconded by Kwiatkowski to adjourn at 10:36 p.m. Motion carried.

Sally McMillan  
Town Clerk