

TOWN OF EAGLE  
REGULAR TOWN BOARD MEETING  
DECEMBER 17, 2003  
UNAPPROVED MINUTES

Mr. Wilton called the meeting to order at 8:02 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 Kwiatkowski, seconded by Malek to approve the minutes from November 19, 2003 as presented. Motion carried.

Clerk's Report- A note of thanks was received from the Palmyra-Eagle Community Band for the recent donation.

Treasurer's Report- November receivables were \$74,178.36. Total held in all accounts as of 11/30/03 was \$424,892.75. Motion by Orchard, seconded by Malek to approve the treasurer's report. Motion carried.

Sheriff's Dept.- Capt. K. Ruff was present to discuss the increase in accident reports at the intersection of Highway 67 and CTH ZZ. There have been eight accidents there between 1/1/03 and 12/5/03. Capt. Ruff has spoken to the Wisconsin Dept. of Transportation. DOT officials acknowledge there is a problem, but at this time will not guarantee any roadwork for repair. A meeting is scheduled for February 2004 where it will be addressed directly. A letter will be sent from the Sheriff's Dept. to the DOT to make them aware that the issue has been brought up at a Town Board meeting. In another matter, Capt. Ruff reported that the man breaking into people's homes in the lake area has been caught.

Claims- Claims totaling \$49,216.67 were reviewed. Mr. Wilton brought forward two additions to be made to the claims- \$3325 to Rob Day for culvert work, and \$13,900 to Crackfilling Services for roadwork in Eagle's Aire subdivision. Motion by Burton, seconded by Kwiatkowski that the claims be paid with the two additions. Motion carried.

Library- Barb Jatzak reported the library staff is busy arranging the furniture that was recently donated by a law firm in Milwaukee. A capital costs committee has been formed by the County to look at plans to collect and distribute funds to aid in the building and capital costs of libraries. 40 people attended the Children's Book Week program on 11/21 featuring folk singer Fiona Molloy. A digital photo-editing workshop for will be held on 1/10/04, basically for staff throughout the County, but may be opened to local residents if there is room. Mrs. Jatzak announced she will be retiring on March 15, 2004. A committee will be formed to hire her replacement.

Independent Inspections Contract- Bob Blankenheim, Independent Inspections Director of WI Building Services, was present to answer questions regarding services and a proposed new contract, which includes fee increases of about 14%. Fees have not been increased for several years. Atty. Adelman reviewed the contract as requested. Mr. Orchard reiterated that he would like to see a more severe penalty for starting work without a permit. Discussion followed. It was decided to address this issue at another time. Motion by Kwiatkowski, seconded by Malek to approve the increase. Motion carried.

Fire District- The board welcomed newly appointed Fire Chief Jeff Steinbach. Mr. Kwiatkowski inquired as to the possibility of fees being charged to the state for ambulance calls on state highways. Chief Steinbach will verify and put on the Fire Commission agenda. Mr. Kwiatkowski presented recommendations from the Resolution Committee regarding changes to the makeup of the Fire Commission, including the incorporation of citizens into the commission. This would require an ordinance change. Discussion followed with respect to the progress being made toward the other Resolution Committee requirements. It was suggested that since committee appointments are made in April, any ordinance changes should be made before then. Motion by Kwiatkowski, seconded by Malek to direct the Town Attorney to do a preliminary rewrite of that section of the ordinance that encompasses the recommendations of the Resolution Committee, for presentation to the Village. Motion carried.

Park & Recreation- Mr. Malek reported that the Park & Rec Committee has determined according to the Joint Instrumentality rule that the Park & Rec Director will become eligible for inclusion in the Wisconsin Retirement System in 2004.

Business Park & Garbage/Recycling - No report.

Roads- Mr. Burton reported that a request has been received for a second culvert in Eagle's Aire. The matter will be put on the agenda for the next meeting.

Lake Management– Mr. Malek reported there is an opportunity to purchase the Town of Troy's used patrol boat for \$5000. Motion by Kwiatkowski, seconded by Malek to approve the purchase of the Town of Troy boat, with money coming from 2003 surplus. Motion carried.

Eagle v. Eagle Settlement Agreement/Village Well- Atty. Adelman reported she filed a motion to enforce the settlement agreement. The Village Attorney filed a motion for summary judgment. Trial is scheduled for late February.

Attorney's Report- A representative from Waukesha County called Atty. Adelman about McMiller Sports Center. Apparently the County will not act on their jurisdiction over the conditional use permit there, other than to make sure the drainage is good.

Chairman's Report- None.

Closed Session- Motion by Kwiatkowski, seconded by Malek to go into closed session pursuant to Sec. 19.85(1)(g) Wis. Stats. to confer with legal counsel concerning strategy with respect to litigation, specifically the Stiglitz/Geilfuss cases and Eagle v. Eagle, and per Sec. 19.85(1)(e) Wis. Stats. for deliberating purchase of property. Roll call vote: Wilton- yes, Burton- yes, Malek- yes, Orchard- yes, Kwiatkowski- yes. The motion carried. After the closed session, a motion was made by Kwiatkowski, seconded by Malek to give the Town Chairman the authority to proceed as discussed in closed session. Motion carried.

Motion by Malek, seconded by Kwiatkowski to adjourn at 9:55 p.m. Motion carried.

Sally McMillan  
Town Clerk