

TOWN OF EAGLE  
REGULAR TOWN BOARD MEETING  
MAY 19, 2004  
MINUTES

Mr. Wilton called the meeting to order at 8 p.m.

Present: Wilton, Burton, Malek, Orchard; Kwiatkowski @ 8:03. Also present: Atty. Adelman, Treasurer Pasterski, Clerk McMillan.

Minutes- Motion by Burton, seconded by Malek that the minutes from April 21, 2004 be accepted as presented. Motion carried. Motion by Burton, seconded by Orchard that the minutes from April 26, 2004 be accepted as presented. Motion carried.

Clerk's Report- Liquor license applications for renewal will be on next month's agenda. Notification was received that technical support for the current version of the municipal citation software will be discontinued as of January 1, 2005. Upgrade and training for one person can be acquired for \$1900. More information will be sought to attempt to reduce costs.

Treasurer's Report- April receivables were \$39,394.07. Total held in all accounts as of 4/30/04 was \$690,632.46. Motion by Burton, seconded by Malek to approve the treasurer's report. Motion carried.

Claims- Claims totaling \$57,395 were reviewed. Motion by Burton, seconded by Malek that the claims be paid. Motion carried.

Sheriff's Dept.- Mr. Wilton reported that a portion Highway 59 heading into North Prairie will be closed for construction beginning May 24. Also, CTH E from CTH LO south to the county line will also be under construction. A letter from Capt. Ruff from the Sheriff's Dept. was received regarding work on Highway 67. Repairs to the road on the hazardous curve near CTH ZZ is not expected until 2008.

Library- No report.

Lake Management/Lake Patrol- Officer Dennis Nork reported that two citations have been issued so far this season. The new boat is operating well. Hiring for a new member of the Lake Patrol, Nick Boyle, will be on the agenda May 24. Tom Day reported 27 acres of the lake have been chemically treated and weed cutting is underway. Mr. Wilton reported that he has received copies of numerous letters sent to the DNR, and that people have apparently been misinformed about the recent conditional use restrictions at the boat launch facility on Wambold Road. He clarified that there has been no denial of boat rental rights for Eagle Spring Pub. The rentals can continue as long as the boats are not stored on the DNR's property or in the lake. Discussion then followed regarding giving the Lake Patrol the authority to issue citations on land, specifically for parking violations near the launch, which has been an issue. Motion by Burton, seconded by Kwiatkowski to let the Sheriff's Dept. take care of the parking tickets. Motion failed 2-3. Motion by Malek, seconded by Orchard to have the Town Attorney write an ordinance for the Lake Patrol to enforce parking on Wambold Road. Motion carried 3-2.

Fire Department/Fire Commission- Fire Chief had no report. Atty. Adelman reviewed the change proposed by the Village of Eagle to the Fire Commission ordinance. The change would allow the secretary to be appointed from outside the commission. Attorney Adelman's opinion was that several issues regarding that change need to be addressed and put in the ordinance. Mr. Kwiatkowski recommended adding that the secretary will be nominated by the chairperson and approved by the commission, for a term of one year, with compensation to be established by the commission. Atty. Adelman reported she was also asked to look into a related matter, regarding issues of non-payment by the Village of some items of compensation for a joint employee of the Fire Dept. State statutes require all claims for money to come before the Town and Village Boards, unless an

ordinance is passed which authorizes the clerk of the municipality approve a claim by going through a specific checklist. Atty. Adelman felt it would be appropriate for the Town and Village to consider passing an ordinance of this nature, and pointed out that this issue affects more than just the Fire Department; the Town and Village also share employees for the library, the municipal building and park & recreation. Discussion followed regarding incorporating this aspect into the Fire Commission ordinance. Mr. Kwiatkowski felt there should be a separate ordinance, and that tying them together would cause the Fire Commission ordinance not to be signed by the Village Board. Having the Town opt-in to the compensation/benefit programs to assuage the problems with the Village support of these programs for joint employees was also discussed. The ordinances will be on next month's agenda.

Park & Recreation- The Park & Rec Dept. would like the concession stand to be moved closer to the ball diamonds for use during the baseball season. This would involve electrical service to be installed via underground cable. Mr. Wilton suggested running a cable heavy enough to be adequate for a possible future pavilion building, with cost for the cable coming from the park improvement fund. Motion by Orchard, seconded by Burton to put 200-amp service down to the ball diamonds. Motion carried. Mr. Wilton has applied for a grant for a paved handicapped access to the sports fields. Regarding the Town Clerk's former computer, it was decided to let the Park & Rec Director to use in Mr. Wilton's office, at least until the end of the year.

Business Park- Mr. Wilton has requested that the owner get the final lift of asphalt put on.

Garbage/Recycling- No report.

Roads- A town resident has requested that the speed limit on Betts Road be lowered. Mr. Malek pointed out there are safety and speeding problems with other narrow roads as well, such as Markham and Mailman. Motion by Orchard, seconded by Kwiatkowski to leave the speed limit at 45 mph. Motion carried 4-1.

Attorney's Report- Regarding the proposed well head protection ordinance, the DNR has responded and will agree to certain definitions specifying quantities for manure and for wood burning, which can be included in the ordinance's restrictions. The ordinance will be put on the next P & Z agenda for consideration. Town resident Steve Muth shared concerns about the ordinance. His attorney has sent a letter outlining several issues and recommendations. Mr. Wilton asked that the Town Board review Mr. Muth's attorney's letter and make notes for issues they wish to have addressed. Regarding the Kestly case, a special inspection was performed. Conclusion was this property is not eligible for condemnation. Regarding the Stiglitz case, the building inspector observed some semi-trailers still on the property. A default judgment for sanctions was granted for failure to answer Atty. Adelman's interrogatories in the case filed to collect previous judgments. Regarding the Cresca case, some of the vehicles in violation have been removed. Mr. Cresca told the building inspector he would need another week to finish. The building inspector will also be asked to check if the motor home on the property is being lived in.

Chairman's Report- Recommendations for committee appointments will be delayed due to the changes to the Fire Commission ordinance. Mr. Wilton requested copies of the minutes and audio tapes of the recent Village Board meetings and informational meetings. No written minutes were prepared of the informational meetings. Cost to obtain the audio tapes is \$151.70. Motion by Kwiatkowski, seconded by Malek that the Town pick up the cost of the recordings as specified and to issue a check to the Village in the amount of \$151.70. Motion carried. Eighty acres east of the Wilton property has been purchased by the DNR.

There being no further business, a motion was made by Kwiatkowski, seconded by Malek to adjourn at 9:50 p.m. Motion carried.

Respectfully submitted,

Sally McMillan  
Town Clerk