

TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
APRIL 20, 2005
MINUTES

Chairman Todd Gillette called the meeting to order at 8:56 p.m., following the adjournment of the Annual Town Meeting.

Present: Gillette, Malek, Orchard, Kwiatkowski, West. Also present: Atty. Adelman, Treasurer Pasterski, Clerk McMillan.

Minutes- Motion by Kwiatkowski, seconded by Orchard to approve the minutes from March 16, 2005 as presented. Motion carried. Motion by Orchard, seconded by Malek to approve the minutes from April 4, 2005 as printed. Motion carried.

Clerk's Report- The assessor has scheduled Open Book for May 4, 2005 from 4-8 p.m. Date for Board of Review rescheduled for May 25, 2005 beginning at 6 p.m. A bartender's license application was received from Eagle Spring Pub. Motion by Kwiatkowski, seconded by Malek to approve the license for Michael McQueen. Motion carried. Library would like permission to include a survey with the next Town newsletter. Other articles need to be submitted this week. Mr. Kwiatkowski would like to provide residents more information on hot topics, i.e. annexation laws and Fire Dept. issues. Resident John Davis suggested these articles then be incorporated into the Town website.

Treasurer's Report- Mr. Pasterski reported March receivables were \$108,139.51. Total held in all accounts as of 3/31/05 was \$925,143.83. First quarter budget report showed expenses of \$285,474, which is 27% of the total 2005 budget. Motion by Orchard, seconded by Malek to approve the treasurer's report. Motion carried.

Claims- Claims totaling \$200,864.54 were reviewed. \$81.16 for reimbursement for advertising for a new Park & Rec Director was removed for the time being. Mr. Orchard suggested public works phone expenses be placed on the next agenda for discussion. Motion by Orchard, seconded by Kwiatkowski that claims be paid. Motion carried. Attorney's fees from the Village of Eagle's lawsuit against the Fire Commission were presented for payment. By ordinance, non-budgeted expenses require approval of both Village and Town Boards. Village has agreed to pay \$3352, contingent on Town paying \$9541. Town Board reviewed the invoice. Discussion followed. Motion by Kwiatkowski, seconded by West that the Town picks up its portion of the attorney bills for Fire Commission litigation (and amended) that this be considered payment in full. Motion carried. Discussion followed regarding status of the Fire Commission Attorney's employ. Motion by Kwiatkowski, seconded by Orchard to have the Fire Commission Chairman send a letter to the Fire Commission instructing them not to have any further communications with the commission's current attorney. After further discussion, the motion carried.

Cemetery Fence- Mr. Gillette explained cemetery fence repairs are needed. Equipment will be rented and the Town's public works employee will handle repair.

Lake Management/Lake Patrol- Tom Day reported spring newsletter has been sent. The public launch is being graded. Two zebra mussels have been found in the lake. Mr. Gillette read into the record proposed Resolution #05-01 regarding authority of the Town's Lake Patrol officers. Motion by Orchard, seconded by Kwiatkowski to adopt the resolution. Motion carried. Atty. Adelman reported she has communicated with the Town of Mukwonago Police, who might contract with the Town for picking up people when a warrant for their arrest has been issued by the municipal judge. She also suggested the Village of Eagle could be contacted.

Sheriff's Dept.- No representative present.

Fire Department/Fire Commission- It was explained that two Town appointments to the Fire Commission need to be made- one Town Board representative, and one citizen member. Brian Rudy has one more year left for his term. By ordinance, the Village will take over chairperson duties in May. Motion by Malek, seconded by Orchard to appoint Bob Kwiatkowski to the Fire Commission. Motion carried 3-2, with Gillette and West opposed. Motion by Gillette, seconded by Malek to appoint Karen Olsen. Motion carried.

Park & Recreation- Mr. Malek reported Park & Rec Coordinator Al Schmidt has turned in his resignation.

Mr. Malek was excused from the meeting at 9:55 p.m.

Fire Department(cont.)- Fire Chief Jeff Steinbach reported that committees have met and begun working on the process for purchase of a new engine and ambulance.

Second Driveway Requests- Wilbert Taylor was present to request permission to install a second driveway access to his property located on S100 W36335 Lewin Lane. Motion by Orchard, seconded by Kwiatkowski, to table until the next meeting pending a report from the building inspector, and to allow time to view the property. Motion carried. A request for a second culvert and driveway for Rebecca Demske on Connor Drive to allow for a short service drive for barn access was reviewed. Developer not opposed. Other options were discussed. Motion by Orchard, seconded by Kwiatkowski to deny the second culvert. Motion carried.

Library- Director Alison Senkevitch reported circulation is up. She requested approval for a community survey from the library be mailed with the next Town newsletter. Copies of the library's annual report are available for review. Posting the report on the library's website was suggested. Motion by Orchard, seconded by Kwiatkowski to give authority to mail the survey with the Town newsletter. Motion carried.

Village of Eagle Requests- Village President Rich Spurrell was present and read a letter to the Town Board requesting that they reconsider their decision to deny the Village's claim for \$47,000 for costs purportedly incurred as a result of last year's petition and referendum to dissolve the Village. Atty. Adelman advised she has been unable to determine a legal basis for the claim. Town resident Joe Sanfilippo pointed out that Village residents signed the petition that caused the referendum, therefore the Town should not be responsible. Reinstatement of joint Town and Village Board quarterly meetings were then discussed. Consensus of Town Board was to agree to set up for June 7, 2005 at 7 p.m.

Letter of Credit Reduction Requests- Developer Dave Cass requested a reduction of \$116,718 to the letter of credit for Eagle Meadow Farms. Motion by Kwiatkowski, seconded by West to reduce the letter of credit as recommended by the Town Engineer. Motion carried 3-1, with Orchard opposed. Letter of credit reduction was also received for Eagle's Preserve subdivision. Motion by Kwiatkowski, seconded by Orchard to deny the reduction until progress is seen on work that needs to be done. Motion carried.

Property Cleanup: Eagle Drive- A cleanup request was received from a resident regarding possible outside storage violations on the Micuda property on Eagle Drive. Mr. Gillette will instruct the building inspector to view the property.

Ordinance #05-01 to Adopt a Code of Ordinances- Atty. Adelman explained the ordinance to adopt several previously approved zoning ordinances, as allowed per State Statutes. This will meet publication requirements and save publication costs. Motion by Orchard, seconded by Kwiatkowski to adopt the Ordinance to Adopt a Code of Ordinances. Motion carried.

Garbage/Recycling- Mr. Kwiatkowski reported the Town will receive a grant for \$11,405.78 for 2005 recycling efforts.

Business Park- Paving quotes are in. The Town Engineer is reviewing and will prepare a report. The hearing for special assessments will be held on 5/18. Publication and notice requirements were reviewed.

Roads- Bid opening for several roadwork projects in the Town was held today (4/20/05). Town Engineer will review and make recommendations. An e-mail request was received for cleanup of gravel and sand on Meadow Lane due to safety concerns. Board will view and seek input from Tom Betts.

Chairman's Report- Mr. Gillette thanked all present for their patience as he begins his term as Town Chairman. He welcomed phone calls from residents for input.

Attorney's Report- Atty. Adelman has reviewed the library's report regarding proposed impact fees. Her comments will be forwarded to the Library Board. Western Eagle Auto Salvage is scheduled for their first court appearance on May 4. On April 25 at 11 a.m. a decision will be made regarding the allowance of a jury trial in the Stiglitz case.

Insurance Renewal- The 2005 insurance proposal, with options quoted for higher deductibles in several areas, was reviewed. Motion by Orchard, seconded by West to go with \$2500 deductible for liability and leave the rest the same, for a savings of \$1400. Motion carried.

There being no further business, a motion was made by Kwiatkowski, seconded by Orchard to adjourn at 11:15 p.m. Motion carried.

Respectfully submitted,

Sally McMillan
Town Clerk