

TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
JUNE 15, 2005
MINUTES

Chairman Gillette called the meeting to order at 8 p.m. and led the Pledge of Allegiance.

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

Minutes- Motion by Orchard, seconded by Kwiatkowski to table the minutes from May 18, 2005 until the end of the meeting or until there is a chance to read through it all. Motion carried.

Clerk's Report- In order to help improve efficiency, service, and accessibility of the Town Hall, Ms. McMillan recommended appointing a part-time deputy clerk, and offered to forego some wages if necessary to finance deputy's pay. Board would like to see a job description with responsibilities, hours, equipment, and space needed. Mr. Kwiatkowski brought up the possibility of combining/including with Fire Commission Secretary position. Motion by Kwiatkowski, seconded by Malek to table the recommendation until more information is provided. Motion carried.

Treasurer's Report- Mr. Pasterski reported May receivables were \$38,875.15. Total held in all accounts as of 5/31/05 was \$729,813.11. The Town's total assessed value increased by \$9,732,260 this year. Motion by Kwiatkowski, seconded by Malek to approve the treasurer's report. Motion carried.

Claims- Claims totaling \$53,776.75 were reviewed. Motion by Kwiatkowski, seconded by Malek to pay the claims. Motion carried.

Sheriff's Dept.- No representative present.

Library- Director Alison Senkevitch gave details on proposed wireless Internet services, including costs, policies, and security measures. Mr. Kwiatkowski had concerns about possibly providing free access to inappropriate websites. The director then gave a comprehensive report regarding funding, ACT 150 standards, interlibrary cooperation, taxes, and comparisons to other municipalities, in response to inquiries about a recent Milwaukee Journal Sentinel article. Ms. Senkevitch announced she would be resigning her position, effective upon the birth of her child. Little progress has been made on study of possible impact fees for the library. Lois Dewey was nominated by the Library Board as a representative for the Town of Eagle. Motion by Kwiatkowski, seconded by Malek to approve. Motion carried.

Lake Management/Lake Patrol- Tom Day urged the Town Board and Planning Commission to attend a meeting on 6/30 hosted by local lake districts regarding lake and river impacts. Officer Dennis Nork gave the Lake Patrol's monthly report. During 30 patrol hours, 10 citations and 21 warnings were issued, with one arrest. Residents' concerns regarding the public boat launch were discussed. Boater safety class has been scheduled for 7/22 – 7/24. Lake Patrol authority regarding parking citations was questioned. Mr. Malek and Officer Braeger requested a new official rank for Officer Nork. Motion by Malek, seconded by Gillette to create the position of Lake Patrol Sergeant, and to have Dennis Nork receive this title. Motion carried. Mr. Orchard was temporarily excused at this time.

Fire Department/Fire Commission- Chief Steinbach gave details on estimated costs for a new ambulance, new engine, and related equipment. Ordinance information regarding NIMS was given to Atty. Adelman. Mr. Kwiatkowski reported that the Fire Commission reviewed the Resolution Committee's 27 requirements, and found that all but four have been addressed.

Liquor & Bartenders License Applications- Four "Class B" Intoxicating Liquor and Fermented Malt Beverage License applications for renewal at the following locations were reviewed: Brookwood Inn, W343 S10206 Highway E; Eagle Springs Golf Resort, W352 S10355 Tuohy Road; Eagle Spring Pub, W345 S10463 Highway E; and House in the Woods Auction Gallery, S91 W37851 Antique Lane. One "Class A" Intoxicating Liquor and Fermented Malt Beverage License application was submitted for renewal: Gillette's Country Store, S101 W34414 Highway LO. After discussion was held regarding concerns with the Brookwood Inn application, a motion was made by Kwiatkowski, seconded by Malek to approve the license for Eclectic Ingredients, LLC, Richard Ohms, agent. Motion carried. Motion by Kwiatkowski, seconded by West to approve the license for Eagle Springs Golf Resort, Michael Bolan, agent. Motion carried. Motion

by Gillette, seconded by Kwiatkowski to approve the license for Eagle Spring Pub, James Olive, agent. Motion carried. Motion by Kwiatkowski, seconded by Malek to approve the license for Lynne Seitz, House in the Woods Auction Gallery. Motion carried. Motion by Kwiatkowski, seconded by Malek to approve the license for Jerry Gillette, Gillette's Country Store. Motion carried. Applications for operator's licenses were also presented for approval. Brookwood Inn-Renewals: Motion by Kwiatkowski, seconded by Malek to approve the licenses for Debra Wright, Carolyn Piasecki and Doreen Skrepenski. Motion carried. New: Motion by Kwiatkowski, seconded by Malek to deny the license for Jason Gapinski. Motion carried. Eagle Springs Golf Resort- Renewals: Motion by Gillette, seconded by Kwiatkowski to approve the licenses for Micky Collins, Luanne Ervin, Kelly Collins, Mary Kroeze, and Jackie Buchberger. Motion carried. New: Motion by Kwiatkowski, seconded by Malek to grant a provisional license for 60 days to Julie Nielsen, until proof of class completion is submitted. Motion carried. Eagle Spring Pub- Renewals: Motion by Malek, seconded by Kwiatkowski to approve the license renewals for Erica Dishaw, Josie Long, Jennifer Massman, and Dana Dentice. Motion carried. New- Motion by Malek, seconded by Kwiatkowski to grant provisional licenses for Diana Lindelof and Sally Reich until proof of class completion is submitted. Motion carried. Gillette's Country Store- Renewals: Motion by Kwiatkowski, seconded by Malek to approve the licenses for Pamela Hudson, Eric Weier, Karen Einer, Delani Gempler, Ann Lamb, Geraldine Mehlberg, and Michelle Paape. Motion carried. New: Motion by Kwiatkowski, seconded by Malek to approve the licenses for Kristin Hudson and Samantha Gillette. Motion carried (Gillette abstained from Samantha Gillette). House in the Woods- Renewal: Motion by Gillette, seconded by Malek to approve the license for Adam Seitz. Motion carried. Mr. Orchard returned at this time.

Second Driveway Request- Wilbur Taylor was in attendance to present plans and request approval for a second driveway for his property located at S100 W36335 Lewin Lane, to accommodate access to a new accessory building. Building inspector's comments were reviewed. Motion by Kwiatkowski, seconded by Gillette (as amended) to grant Mr. Taylor a secondary access on the east side of the property, with restrictions for the building as stated by Martin Montoya- average height of 21 ft., minimum offset of 62 ft., and it must be basically behind the house, per the plan presented. Motion carried.

SEWRPC Report on Village Well- Town resident Steve Muth was present to request that follow-up be done to make sure that the long-awaited SEWRPC report relating to the Village of Eagle well site on Hwy. 67 & CTH LO is completed and made available to Town residents, and that a representative from SEWRPC comes to a Town Board meeting to explain the results. Discussion followed. Mr. Gillette will call to request delivery of the report, so it can be put on the August agenda.

Burning Permit Citation- Carl and Adam Seitz were present to request a reduction in the fine for Adam's recent burning citation. Attorney Adelman explained the violations, the breakdown of costs, and that she already offered a \$100 reduction. Discussion followed. Motion by Gillette, seconded by Kwiatkowski to stay with what Atty. Adelman has done. Motion carried 3-2, with Malek and Orchard opposed.

Western Eagle Auto Salvage License Renewal- Application for annual license renewal was received for salvage operations at Western Eagle Auto Salvage, located at S90 W38028 Highway 59. Discussion followed regarding history, recent building inspector reports, non-compliant equipment observed by Town Board members, status of the pending court case, and state licensing. Motion by Malek, seconded by Gillette to extend their license to July 31, 2005, and to have Atty. Adelman investigate status of their state license. Motion carried. Motion by Malek, seconded by Kwiatkowski to have Martin Montoya visit Western Eagle weekly until the next Town Board meeting, and submit a report. Motion carried.

South Shore Drive Parking and Cleanup Issues- Mr. Gillette reported that cleanup would be done on the Town-owned "island" located on South Shore Drive. No parking signs have been repeatedly removed there as well. The Sheriff's Dept. will be asked to enforce parking regulations. An individual is interested in purchase of this Town-owned land. The Treasurer will be asked to research if sale of the lot is possible.

Other Property Cleanup Issues- Mr. Gillette and the building inspector are working on several properties cleanup issues brought forward by neighbors complaints.

Letter of Credit Reduction, Eagle Meadow Farms- Request from Dave Cass for reduction in the letter of credit for Eagle Meadow Farms subdivision was considered. Town Engineer's memo recommended reduction to \$312,521.02. Motion by Kwiatkowski, seconded by Orchard to approve the recommendations made by the Town Engineer. Motion carried.

Public Works Phones- Town phone issues were discussed. It was suggested to eliminate the rarely used garage phone, since the Town employee also has a cellular phone. It was pointed out this cell phone number is long distance call from the Town Hall. Motion by Kwiatkowski, seconded by Malek get rid of the landline in the Town Garage, and change to a local number or get a different provider for the cell phone. Motion carried.

Joint Powers Agreement- Atty. Adelman reviewed the agreement as requested, and advised it is required by law. Motion by Kwiatkowski, seconded by West to approve the Joint Powers Agreement. Motion carried.

Park & Recreation- Mr. Malek reported the new Park & Rec Coordinator is working out well.

Garbage/Recycling- Mr. Kwiatkowski reported the Town has received a check for over \$11,000 for this year's recycling grant.

Business Park- Regarding ditchwork, Mr. West reported that he viewed the Heckel property, and there are low areas that could use topsoil. Details for completion of the ditchwork by the Town employee were discussed. Topsoil will wait until after the paving project is done. Godfrey Lane business owner Jim Carey pointed out he also has ditch problems. Board consensus was that this was not the same situation as the Heckel property, and not the Town's responsibility.

Roads- Mr. Gillette gave an overview of schedule for this year's paving projects. Estimates for crackfilling were approximately \$10,000. Treasurer has recommended against crackfilling due to the amount of the road budget already expended. Motion by Kwiatkowski, seconded by Orchard to table until next year. Motion carried.

Conditional Use Renewals- Mr. Kwiatkowski advised there are some properties with Conditional Use Permits that may need inspection for compliance, and are due for renewal. Clerk will begin notifying applicable permit holders.

Chairman's Report- Regarding equipment, Mr. Gillette reported the loader needs new brakes. Estimates were \$2800 - \$4000. Discussion of alternatives followed. Motion by Kwiatkowski, seconded by Malek to go up to \$2000 for brake repairs on the loader. Motion carried. Dan West and Bill Orchard were appointed to the Human Resources Committee.

Attorney's Report- Atty. Adelman reported that a possible contract for dispatch of warrants is being presented to the Town Board of Mukwonago; the Village of Eagle Police Dept. is also interested. Resident Brian Rudy asked that the new law regarding TIF districts for Towns be put on a future agenda for discussion. Regarding the sale of the Town lots, counter offers were submitted and accepted; closing will be in July.

Waiver for Village Claim Deadline- Village President Rich Spurrell requested that the board consider waiving the six-month deadline for the Village of Eagle's claim against the Town, in the belief that the matter can be worked out between the two municipalities. Atty. Adelman advised the board if they choose to consider the waiver, a new deadline should be included.

Closed Session- A motion was made by Kwiatkowski, seconded by Malek to go into closed session per Wis. Stats. 19.85(1)(g), to confer with legal counsel regarding the Village of Eagle Claim for \$47,000. Roll call vote was taken: Gillette- yes, Kwiatkowski- yes, Malek- yes, Orchard- yes, West- yes. The motion carried. After reconvening into open session, a motion was made by Gillette, seconded by Orchard to grant a six-month extension to the Village of Eagle. Motion carried. Documentation of extension will be provided to Mr. Spurrell.

There being no further business, a motion was made by Kwiatkowski, seconded by Orchard to adjourn at 11:59 p.m. Motion carried.

Respectfully submitted,

Sally McMillan
Town Clerk