

TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
August 15, 2007
Minutes

Mr. Kwiatkowski called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Present- Kwiatkowski, Malek, Davis, West, Rasmussen. Also present: Treasurer Pasterski, Atty Adelman, Boat Patrol Dennis Nork, and Clerk Houk.

Minutes- Malek requested that a notation be made under the **Town Park Pavilion** that no parking signs were to be ordered and under **Lake Management District** insert "new no-wake hours" in the place of "*closing*" and strike "*and new no-wake hours*". Motion by Davis, second by Malek to approve the 7-18-07 minutes as amended. Motion carried.

Public Hearing- Consideration of special assessment for the purpose of purchasing and installing new address signs. The public hearing notice was read into the record. Chairman Kwiatkowski provided a brief explanation regarding the process in which the new address signs were approved. Jeff Nelson of the Eagle Fire Department gave a brief presentation explaining the reasons why the fire department is in support of the new signs. The post, sign and installation is approximately \$29.75 per home to be placed on each tax bill as a one time fee. The public hearing was opened for public comment. Jim Hansen, S95 W34560 Jericho Dr., stated he thought there was an ordinance already in place for signs and questioned why it is not enforced instead of spending money to purchase new signs. It was explained that not all home owners comply with the ordinance and additionally the new signs are reflective which can be seen in the dark using a light which will help emergency personnel if the need arose. Mr. Hansen also asked what was to stop a new home owner from removing the sign once installed. Mr. Kwiatkowski explained that periodic inspections could be done and notices could be sent, and the home owner would be responsible for replacement of the sign and installation of the same should they remove the sign unlawfully. Mr. Hansen questioned the height of the sign and it was explained the signs would be on a pole which was 6 ½' feet high and placed into the ground 18" making the signs a uniform overall height of approximately 4 ½' tall. Richard Harthun, W391 S10607 Meadow Ln., acknowledged that he was 1000% in favor of the signs, noting that the amount of money quoted was worth it and the signs were a need for both service and safety for the fire and police departments. Mike Eschenburg, W341 S9610 Hwy E, felt that if the owners did not comply with the ordinance to begin with, it was their own fault if the police or fire department could not find their home. Tom Brown, S103 W36499 Hwy LO, a retired Milwaukee firefighter felt the signs were a "no-brainer" explaining that even in Milwaukee with the numbers on the homes, it was very difficult to locate the numbers in the dark. He felt reflective signs are a good idea. Mr. Brown also reminded the audience that the signs have already been approved, the meeting was to decide how to pay for the signs and he felt a one time charge on the tax bill was good. Steve Kezman, W377 S10427 Betts Rd., also a retired firefighter, explained that on foggy nights it was hard to see black and white signs. Candace Laugerfeld, W349 S8052 N. Whitetail Dr., asked what the other alternative is to pay for the signs. The alternative to a special assessment is to include the expense in the budget and allocate the cost based on property value. Warren Ribecky, W369 S10500 Shearer Rd. questioned the life expectancy of the signs, wanting to know if they would fade and if the subject would come up again in the future. No one had a true average time, although Jeff Nelson of the Eagle Fire Department knew of similar signs to be as old as 15-20 years and still reflective. Deb Ackerman, S78 W35343 May Forest Rd., questioned who would install the signs. Lange Enterprises will be installing the signs. Jean Weedman, W343 S9768 Red Brae Dr., asked if a shared driveway existed, if would there be two poles. A single pole with two address plates off of it would be placed on the property per the ordinance. Richard Schultz, W343 S9185 S. Jericho Dr. felt that special assessment was a good idea and the amount was very economical. Brian Rudy, W398 S10045 County Rd. Z, opposed the measure; felt the focus was in the wrong place. He felt GPS equipped emergency vehicles was more economical and would serve far better than address signs. Ed Gerstmann, S72 W34680 Heritage Dr., asked whether there would be two signs, the old porcelain numbered tiles and the new reflective sign, he was informed that the old porcelain signs would be removed and brought back to the Town and the new installed by Lange, all of which are included in the quoted price. Motion by Davis, second by Malek to close the public hearing. Motion carried. Motion by Kwiatkowski, seconded by Rasmussen, to special assess the cost of the signs and the installation of same on the 2007 tax roll bill. Discussion followed with regard to locking a price in on the signs. Kwiatkowski explained that the price of steel could go up and until the order was put in a set amount could not be given. The board could go with a less expensive post to help keep the cost lower. Davis felt that the board should

try to stay with the galvanized pole as it would last longer than the powder coated pole and Malek agreed. Motion carried.

Clerk's Report- Accounts receivable is \$10,219.88. An 8-2-07 letter from Terrance Pisarek of Kettle Moraine Surveying Inc. was distributed to board members wherein Mr. Pisarek requested that he be considered by the Town to review certified survey maps submitted to the Town. At this point in time consensus was to continue having the engineer firm review all certified survey maps. Motion by Kwiatkowski, second by Malek to approve the provisional operator's license for Natalie Buer. Motion carried. Motion by Kwiatkowski, second by Malek to approve the provisional operator's license for Melissa Dooley. Motion carried. Motion by Kwiatkowski, second by Malek to approve the provisional operator's license for Jamie McCartan. Motion carried.

Treasurer's report- May receivables were \$25,254.21. Total held in all accounts as of 07-31-07 was \$646,316.10. Motion by Davis, second by Malek to approve the treasurer's report. Motion carried.

Claims- The list of claims presented for payment was reviewed. Discussion followed regarding the two bills for limestone. Limestone was used for the baseball diamonds and also for the shouldering as opposed to the gravel that is usually used in an effort to possibly help reduce costs. Motion by Malek second by Davis to approve the claims as presented. Motion carried.

Ordinance Committee-Sheriff's Dept.- John Davis provided an update of the 07-30-07 sub-committee meeting wherein the sheriff's department made an inquiry as to whether the Town preferred them to write county or town citations. A concern was the attorney's fees if town citations were issued. Atty Adelman responded that during the summer there are a lot of citations issued due to the boat patrol and she attends court more frequently during said time of year. From November through February she rarely has to be in court, so activity during this time would cost more for the Town if she were required to be in court more often. A review of the penalty bond schedule will be done in the future. Questions regarding parental responsibility and curfew were brought up. Loitering is another issue the sub-committee will be looking into. Common complaints received are for noise from ATV's and dirt bikes as well all from personal firing ranges. The issues will be discussed during a sub-committee meeting.

Amber Fields- Developer Mike Kaerek was present as well as Bryan Fischer and Jeff Dretzka, contractors hired by Kaerek Homes. Discussion followed regarding material which was being buried in the burm being constructed, a violation of the Developer's Agreement. Mr. Kaerek supplied a copy of the Stage I Environmental report. Pictures taken of some of the material being buried were viewed by Mr. Kaerek. Mr. Fischer was under the assumption that they were allowed to bury material from the site. Discussion followed regarding the pre-construction meeting and it was noted that there was never any mention of the burying of material. Consensus of the Town Board was that the material buried should be dug up and hauled away from the site. Once the material has been dug up, a representative will contact the Town Hall to have Kwiatkowski observe the site and confirm that the unwanted material has been removed from the burm. Mr. Kaerek then requested to have Mr. Dretzka's company crush the concrete from the site and recycle it for use in the burm. The Town's engineer will be contacted as to whether the crushed concrete would be acceptable material for the burm.

Library- Director Ali Chase provided the library report. Circulation numbers are up again. The summer reading program was very successful with over 375 people participating. Fall programming will be starting up shortly. Budget planning has begun for 2008. Long range plans will be reviewed by the library board. The director celebrated her 2 year anniversary with the library on 8-16-07.

Beckwith-Saddle Ridge Farms, LLC- Scott Beckwith was present to request a reduction in the letter of credit. Motion by Davis, second by Malek to approve a reduction to the Letter of Credit to the amount of \$104,000. Motion carried.

McAdams- Eagle's Preserve & Eagle Meadow Farms- Tom McAdams was present to request the Town's acceptance of the road improvement and for reduction in the Letter of Credit for each development. The Town's engineer firm recommended the Letter of Credit reduction to \$29,100 and \$49,600 respectively. Mr. McAdams requested that the amounts be rounded to \$29,000 for Eagle's Preserve and \$50,000 for Eagle Meadow Farms. Discussion followed regarding the providing of a title policy prior to the acceptance of the road improvement. Mr. McAdams preferred to provide a letter from the title company verses a title policy. Atty Adelman advised that a title

policy insured that there were no liens or mortgages on the property. Malek acknowledged that he would go along with the recommendation of the Board's legal counsel. Motion by Rasmussen, second by Malek to accept the recommendation of the Town's engineering firm for Eagle's Preserve subdivision to reduce the Letter of Credit to \$29,000. Motion carried. Motion by Rasmussen, second by Malek to accept the recommendation of the Town's engineering firm for Eagle Meadow Farm's subdivision to reduce the Letter of Credit to \$50,000. Motion carried. Motion by Kwiatkowski, second Rasmussen to table the acceptance of the roads and improvements for Eagle Meadow Farm's and Eagle's Preserve until the title policy has been received. Motion carried.

Town Park Pavilion- Mr. Pasterski provided an update on the Town Park. The pavilion is ready to be rented out, the landscaping needs to be finished around the walk area. The lights were covered in an effort to prevent damage from vandals. Atty Adelman reviewed the ordinance for the park. Discussion followed regarding the ending times in the evening for events. The ordinance was originally presented with 11 p.m. weekdays and midnight on Friday and Saturday nights. The Board felt that 10 p.m. weekdays and 11 p.m. on Friday and Saturday nights were more reasonable times, noting that the board does have the right to authorize/approve the ending time of an event past the 10 or 11 p.m. limit. Further discussion followed regarding the range of amount for penalties. The range will be from \$25 to \$500. Motion by Davis, second by Rasmussen to approve the park ordinance subject to the revisions of the time change in Section 2.B. to *10 p.m. weekdays or 11 p.m. Friday and Saturdays unless authorized by the Town Board* and under Section 3.I. to include, *unless authorized by Town Board*, and violation of the ordinance to be not less than \$25 nor more than \$500. Further discussion followed for clarification of supervisors being named for every 20 attendees. Motion carried. The rental regulation policy and fees were discussed. Discussion followed regarding the charging of the security deposit to anyone renting the facility verses only non-residents. It was decided that a security deposit will be required from all parties. Atty Adelman will add the date of reservation and times, area for names and address of supervisor, add areas of what is to be rented and a signature line for the approval/acceptance by the Town. Motion by Malek, second by West to accept the fees for Town Park & pavilion rental. Motion carried.

Roads- West advised the board that there are trees hanging over Sprague Rd. and will need to be trimmed. The estimate for an overlay of the cul de sac in Westwind Subdivision has been received. The decision to hold off doing the cul de sac is due to not knowing what Bielinski is doing with their subdivision that will connect into the cul de sac. The Town will consider the project next year.

Fire Department- To date there are approximately 15 applicants for the chief's position. Three chief's from the outlying area as well as two members from the Eagle Fire Department will assist in the technical assessment of the applicants. Getting sufficient coverage on weekends is becoming increasingly difficult and the Fire Commission is looking at options, i.e. expanding part-time paid positions for Saturday and Sundays and/or paid on call time.

Lake Management District- Mr. Day summarized the annual meeting held by Eagle Spring Lake Management. Attendance was high. Tom Day and James Pasterski were re-elected to three year terms. They discussed boating practices committee issues. A survey containing 5 questions was filled out by about 41 of the 45 people in attendance following the meeting. The first area of focus will be the management of the public launch. Dennis Nork followed with a report on the boat patrol activities. He noted that the parking lots were full with many visitors on Saturdays and Sundays. A boat class was held with 25 children and 7 adults participating. Mr. Nork thanked all of the establishments who helped to make the class a success. The cost of a canopy for the patrol boat would be approximately \$500 and the payment could be deferred until January 2008 if the expense is a budget issue. Mr. Nork is making collection calls in an effort to clear up the unpaid citations and warrants are being issued as well.

Knucklefest- An update to the Labor Day plan was provided. The event looked to be well planned.

Weed Management- Nothing to report at this time.

Recent Village Board Meetings- John Davis reported on the 8-08-07 meeting. Roger Couch felt the joint meeting between the Village and Town Board was a good meeting and looked forward to working with the Town Board. Extra-territorial approval of the CSM was given to Roberta Levin and Jan Kodner. Personnel and Finance submitted goals or starting points for committees to use when formulating their 2008 budgets. A motion was made and passed that the per unit tax levy should not be larger than last year's figure. Halloween trick-or-treat was set for Sunday, October 28th from 4-6 p.m.

Park & Recreation- Don Malek presented the program update for Summer 2007 as provided by the Park & Rec Director. A budget report year to date was also provided.

Garbage Pick up & Recycling- Rasmussen reported that the compliance assurance plan was written and submitted to the DNR and work has begun on the recycling grant for 2008.

Business Park- Nothing to report at this time.

Chairman's Report- The joint Town and Village Smart Growth meeting was very successful. Grant money will be split between the Town and the Village based on population. The Town Board will hold a listening session at the municipal building on Wednesday, September 26, 2007 at 7:00 p.m. The purpose of the listening session is to hear town residents' input in regard to Smart Growth planning issues.

Attorney's Report- RE: Municipal Court-A number of citations were issued and three people showed up to discuss their citations. The Board will start to gather a list of possible attorneys which could possibly provide representation for the Town next year.

Public comment- Nick Wambach, W344 S10609 Island View Ln., questioned who would be unlocking and locking the park when it is rented. He gave some examples of some problems the board may run into and cautioned the board. Mr. Wambach also asked what was going to be on the address signs. Kwiatkowski stated that currently the *Town of Eagle* is listed on the sample sign along with the address numbers. It was noted that the price was the same whether the street name or the township was listed. Mr. Wambach stated he preferred to have the road name on the sign.

There being no further business on the agenda, a motion was made by Malek, seconded by Rasmussen to adjourn the meeting at 10:26 p.m. Motion carried.

Respectfully submitted,

Eileen Houk
Town Clerk