

TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
September 19, 2007
Minutes

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

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

Minutes- Motion by Malek, second by Rasmussen to approve the minutes from 08-08-07. Motion carried. Motion by Davis, second by Malek to approve the minutes from 8-15-07. Kwiatkowski noted a correction on page 2 under *McAdams-Eagle's Preserve & Eagle Meadow Farms*, add "Mc" to Adams. Davis amended his motion and Malek amended his second to include the correction as noted. Motion carried as amended.

Clerk's Report- Accounts receivable is \$3902.

Treasurer's report- August receivables were \$166,369. Total held in all accounts as of 8-31-07 was \$830,466.10. Motion by Kwiatkowski, second by Malek to approve the treasurer's report. Motion carried. The budget workshop was scheduled for 10-10-07 at 7:30 p.m.

Claims- The list of claims presented for payment was reviewed. Motion by Malek, second by Rasmussen to approve the claims as presented. Motion carried.

Collection of application fees- The board considered increasing the amount collected with a certified survey application rather than trying to collect fees later. Motion by Kwiatkowski second by Davis to increase the certified survey map application fee to \$1000. Motion carried.

Library- Director Chase provided informational handouts depicting circulation numbers, programming recaps and comparisons to surrounding community libraries. Circulation is up in every area and less residents of the Eagle area are going to surrounding libraries for materials. Programs had a high number of participants. An antique show is planned for 9-22-07 at House in the Woods. Dinner & Show tickets are available for 11-3-07. Revenue is at 76% of budget and expenses are at 70%. The library board approved the 2008 proposed budget.

Town Park Pavilion- Treasurer Pasterski briefed the board on the work completed at the Town Park. Items to consider during the budget workshop will be custodial help, additional picnic tables, extension and paving of the pathway. Iron in the water is an issue. Discussion took place with regard to the keys not being allowed to be duplicated.

Wambold- Russell Wambold was in attendance requesting a holding tank agreement for his property at W345 S10375 Wambold Rd. Motion by Malek, second by Rasmussen to approve the holding tank agreement. Motion carried.

Sheriff's Report- A deputy was unable to be present at the meeting. No meetings were held by the ordinance sub-committee.

Stormwater and Erosion Ordinance reviews- Perry Lindquist of Waukesha County Dept. of Parks and Land Use was in attendance to respond to the proposed ordinances submitted to him for review. The Town Board has decided to develop their own stormwater management in an effort to reduce fees. The ordinances were forwarded to Atty Adelman for her review. The Town's ordinance must be at least as restrictive as the County's. Discussion took place surrounding liability, who takes complaints, and fees involved for adopting, enforcing, administering, etc. many of which can not be billed back to the developer. Mr. Lindquist stated that currently they are having communities sign up in phases for County monitored stormwater management. Further discussion continued regarding different possible situations, permit info, and whether the ordinance should be adopted, as drafted, by the board. It was determined that the County will review the ordinance and the board will consider the adoption of the same at its next monthly meeting. Motion by Davis, second by Rasmussen to make notice of intent of the adoption

of the Stormwater Ordinance and Erosion Ordinance at next town board meeting subject to review by Graef, Anhalt, Schloemer & Assoc., Inc., Waukesha County and Atty Adelman. Motion carried.

Roads- The contract was received from the Town of Ottawa for snow and ice control on Pieper Road and reviewed. Motion by Malek, second by Davis to approve the 2007-2008 snow and ice control contract. Motion carried.

Fire Department- Chairman Kwiatkowski gave a brief progress report on the hiring of a new fire chief. Interviews to determine technical expertise will be taking place over the weekend with follow-up interviews to be scheduled, based on the recommendations of the committee, to evaluate the candidate's administrative expertise. The fire department has turned in their 2008 proposed budget for review.

Lake Management- Tom Day gave an update on the Lake Management District advising that on 9-10-07 they chemically treated Mary's Bay and Jack's Bay. Eagle Spring Lake is taking legal action joint with Phantom Lake Management District and four Lake Beulah residents against the Village of East Troy as it relates to their shallow water well and the DNR for not invoking the public trust doctrine and the DNR for not doing environmental assessments for the municipal wells. Sgt. Dennis Nork provided a monthly report on the Lake Patrol. 53.5 patrol hours were recorded, 21 citations and 39 warnings were issued.

Recent Village Board Update- Supervisor John Davis provided an update on the last Village of Eagle board meeting. He reported many residents as well as Channel 12 news attended. The issue surrounded the Fox Chase senior housing project. The conceptual plan was accepted provided that Bielinski was expected to meet with the Fox Chase Homeowners Assoc. before moving to the next step. The certified survey map for Winzenried was approved. When the Village is working on their Smart Growth Plan they will address how Fox Chase East will blend with the Town and clear up some verbiage discrepancies at that time. Fox Chase East's final plat was approved. A complaint was received by the well grievance committee from L. Herek. The process of filing a well grievance complaint will be reviewed by the town board. Authorization to purchase speed bumps for the Village Park was given.

Park and Rec- Supervisor Malek provided the P&R program update. Many participants have been involved in senior, adult and youth activities. The soccer league is coming to a close as is kickball. Discussion continued regarding the use of bathrooms at the pavilion. A lock box proposal was provided for review. Primary use of the lock box will be for seasonal equipment during baseball. Motion by Kwiatkowski, second by Malek to approve the purchase of a lock box as proposed. Discussion followed, noting that the box will be chained down. A vote was taken and the motion carried.

Garbage & Recycling- Nothing to report at this time.

Village Well- Steve Muth advised a complaint was received from Larry Herek. Mr. Muth attended the Village board meeting as he had some questions and concerns although was not allowed to be heard even after requesting to be on the agenda. Muth questioned the requirement that a well driller/contractor be chosen from an approved list which is supplied by the Village. The procedure for well grievances needs to be reviewed further by the Town Board. According to the Village's ordinance, the well grievance committee is comprised of two representatives from the Village nominated by the Village President and one representative nominated by the Town Chairman and subject to the approval by the Town of Eagle Board for a term of 1 year beginning April 1st of each year.

Address signs- Discussion took place as to whether *Town of Eagle* or the street/road name the resident lives on is to be printed on the address sign. Motion by Kwiatkowski, second by Davis to have the address signs list *Town of Eagle*. Motion carried

Chairman's Report- The Smart Growth listening session will be held on 9-26-07 at 7 p.m. Letters have been sent to attorneys in an effort to find a replacement for Atty Adelman who is retiring at the end of the year. The board will review resumes as received and discuss them at a later date. October 15th or 16th are two options for the Joint Village & Town budget workshop, the clerk will coordinate with the Village and advise. The Town will be hosting the January Wisconsin Towns Association meeting. The Board discussed participating in the 2010 census and decided more information is needed before a determination can be made. Motion by Malek, second by Rasmussen to table the decision to participate in the 2010 census. Motion carried. Motion by Malek, second by Davis to

approve Trick or Treat for Sunday, 10-28-07 from 4 – 6 p.m. Motion carried. Amber Fields is moving along although there have been some issues surrounding lot line designation and the removal of trees. The concrete which was removed from the berm and crushed will not be used as road material and instead may possibly be used as garage fill. It was noted that the entrance to the Westwind Subdivision may be in need of repair and that Kaerek would be responsible for repairing damage to the 1st lift.

A special meeting was scheduled for 9-25-07 at 7:00 p.m. to complete a review/evaluate the clerk.

Attorney's Report- Atty Adelman advised that she had attended municipal court and resolved all but one citation relating to the individuals which did appear to discuss them. The one remaining will be set for trial.

Public comment- Steve Muth advised that a dumpster was on the property of a church off of Hwy 59 which, at the time it was built, stated they would not need a dumpster for trash. He was advised that the Planning & Zoning Board did in fact have the issue on the upcoming meeting agenda. Nick Wambach, W344 S10609 Island View Ln., expressed concern because of the use of limestone on the fields at the park. He also stated that he felt the Board was doing a good job. Some individuals may be allergic to it and baking soda may be another option to think about.

There being no further business on the agenda, a motion to adjourn was made by Davis, second by Malek. Motion carried and the meeting adjourned at 10:18 p.m.

Respectfully submitted,

Eileen Houk
Town Clerk