



**TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
October 19, 2011
APPROVED MINUTES**

Chairman Kwiatkowski called the meeting to order at 7:00 p.m.

Present: Chairman Kwiatkowski; Supervisors Davis, Malek, Rasmussen, and West. Also present: Town Clerk Pepper, Town Treasurer Pasterski and Town Attorney Alexy.

Approval of Agenda – A motion was made by Chairman Kwiatkowski, seconded by Supervisor Rasmussen to move item #21 to immediately follow the agenda approval and to approve the agenda as amended. Upon voice vote, motion carried.

2013 TRIP/TRID Program – Supervisor West explained that the plan for the next couple of years reflects a reduction in the budget. Treasurer Pasterski explained that they have come up with three (3) possible scenarios for road projects. The first project would be the South Shore Drive project in the amount of \$186,000. The second scenario would be for the original Eagle Aire Subdivision in the amount of \$300,000. The third scenario would be for two-layer sealcoating. Discussion followed regarding the costs involved for the three scenarios and the amount of money the Town could receive from the TRIP Program. Chairman Kwiatkowski explained that in order for the Town to balance its budget, 36% was cut out of the road program as well as a 10% reduction by all of the departments.

A motion was made by Supervisor Davis, seconded by Supervisor Malek to apply for the 2013 TRIP Program for two layers of sealcoating and crack filling for the Eagle Aire South Subdivision. Upon voice vote, motion carried.

Minutes- Motion by Supervisor Malek, seconded by Supervisor Davis to approve the minutes of the Regular Town Board Meeting dated September 21, 2011. Upon voice vote, motion carried. A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to approve the minutes of the Joint Town/Village Meeting dated October 5, 2011. Upon voice vote, motion carried.

Clerk's Report- Clerk Pepper presented the Accounts Receivable Summary Report. Clerk Pepper reported on the cost to maintain and upgrade the Peachtree Accounting System. Clerk Pepper reported that the office will continue to use Quickbooks however will rename the accounts to line up with the state.

Treasurer's Report- Treasurer Pasterski presented the August, 2011 report. Savings balance as of 8-31-11 was \$368,940.24. Total cash was \$570,008.15. A motion was made by Supervisor Malek, seconded by Supervisor Rasmussen to approve the Treasurer's Report. Upon voice vote, motion carried.

Claims- Claims totaling \$173,282.75 were reviewed. Questions were raised regarding the payments to Mukwonago Auto Parts and Triebold Implement. A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to approve the payment of claims. Upon voice vote, motion carried.

CLOSED SESSION: A motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to convene into closed session at 7:35 P.M. pursuant to Wis. Stat. §§ 19.85(1)(g) for purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to

litigation in which it is or is likely to become involved. Topic for discussion: McMiller Shooting Range/Milford Hills. Upon Roll Call vote: Supervisor Davis – aye; Supervisor Rasmussen – aye; Supervisor Malek – aye; Supervisor West – aye; Chairman Kwiatkowski – aye. Motion carried.

A motion was made by Supervisor Davis, seconded by Supervisor West to convene into open session at 7:53 P.M. Upon Roll Call vote: Supervisor Davis – aye; Supervisor Rasmussen – aye; Supervisor Malek – aye; Supervisor West – aye; Chairman Kwiatkowski – aye. Motion carried.

Weed Commissioner Report – No Report.

Lake Management District – Supervisor Malek stated that the Lake Patrol has submitted their year-end report and they are requesting a wage increase for next year. Chairman Kwiatkowski explained that this request will be placed on the regular Town Board meeting agenda in November. Lake Management District Chairman Tom Day explained that, in regards to a wage increase, he will comment in favor of the raise at the next meeting. In regards to Eagle Springs Lake, Chairman Day explained that at noon tomorrow, the lake will be stocked with 3,000 perch from the Fish Hatchery in Dodgeville. The perch will be dumped in two (2) spots on the lake, where some will be siphoned off and dumped elsewhere.

Sheriff's Report - No report.

Library – Director's Report – No report.

Fire Department/Fire Commission/Municipal Building – Supervisor Rasmussen reported that training for the new security system will take place on the morning of October 26th. Supervisor Rasmussen reported that the new flag pole has been ordered, the parking lot striping has been approved, and the 2012 budget has also been approved. Staff coverage for the weekends has been at sixty percent (60%). Weekday coverage has been at one-hundred percent (100%). There were sixteen (16) total Fire/EMS calls last month. Supervisor Rasmussen reported that the Fire Department was awarded a grant from the Department of Natural Resources, which was matched by the membership. The monies will be used towards the department's equipment wish list for grass fires. Chief Heim explained that the membership is matching the \$9,500 grant, which will be used for thirty-five (35) jackets and pants for grass fires, ten (10) radio harnesses, a leaf blower, goggles, helmets, and four (4) radios. The membership has been very generous and we are thankful for their support. Chairman Kwiatkowski added that approximately two (2) years ago, the membership purchased the fire department pick-up truck at around \$25,000. The membership's contributions help to keep the costs down for the taxpayers. Chief Heim explained that the department purchased an I-Pad through grant monies. The I-Pad will be used for fire inspections, allowing the inspector to add the data on-site and wirelessly upload the information to their server. Chief Heim added that the membership also contributed monies towards the purchase on two (2) additional I-Pads, which will allow the department to inspect fire hydrants. Supervisor Rasmussen reminded everyone that the department will be holding their Pancake and Sausage Breakfast from 7:00 A.M. to 12:00 noon on Saturday, October 29th.

Park & Recreation – Supervisor Malek reported that the committee held a lengthy meeting on October 10th and the committee held a budget meeting last night. Supervisor Malek presented the program review, budget status, and reported on the article in the Mukwonago Chief regarding the senior citizen activities. Supervisor Malek stated that the committee laid down ground rules for the large senior trips, stating that these trips must be self-sufficient. In regards to the budget, Supervisor Malek stated that the committee was able to reduce the budget by ten percent (10%) and still include a cost of living increase for the Recreation Director, who has not had a raise in the last two (2) years. Also discussed was the November Park & Recreation Conference. Supervisor Malek stated that on a yearly basis, if there is not enough money left in the budget, the director will not be able to attend the conference.

Operator's License request from Christine Hodges. – A motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to approve the Operator's License request for Christine Hodges. Upon voice vote, motion carried.

Ordinance to Prohibit Weapons in the Eagle Municipal Building and the Town Offices – Chairman Kwiatkowski stated that the Board needs to consider whether or not to allow concealed carry in the Town Office or on any property owned solely by the Town. In regards to the municipal building which is jointly owned by the Town and Village but is located within Village limits, the Board could decide to not allow in the building based on a legal opinion on joint ownership.

Supervisor Davis explained that the Village discussed this topic at their last meeting and there was discussion for and against concealed carry in the building. Supervisor Davis explained that state law will now permit concealed carry after a background check and training. If the Town were to prohibit guns, the law abiding citizens would look at the sign and

comply. For others, the sign on the window will not stop them from entering the building with a weapon. By posting a sign prohibiting guns tells the public that everyone in the building is unarmed. Since the municipal building does not house a courtroom, Supervisor Davis explained that it is his opinion that the Town not prohibit weapons.

Village Trustee Mike Rice, who also sits on the Codes and Ordinances Committee for the Village of Eagle explained that the committee will be recommending to the Village to not adopt an ordinance prohibiting weapons. Law abiding citizens cannot obtain a permit if there is history of violence, are convicted of a felony, or have any mental defects. Wisconsin has joined forty (40) other states that have had no issues with the allowance of concealed carry. The only issue is the fear of guns. Once people are past the fear, they will find that there is nothing wrong with the new law.

Supervisor Rasmussen and Supervisor Malek agreed with Supervisor Davis and Trustee Rice. Supervisor West explained that he believes that there are places for guns but does not believe that Town buildings are places for them.

Chairman Kwiatkowski stated his opinion that although he supports concealed carry, he does not support it in Town buildings.

A motion was made by Chairman Kwiatkowski, seconded by Supervisor West to adopt the ordinance which does not allow concealed carry in any buildings owned solely by the Town of Eagle including the Town Hall Office. Upon voice vote, motion failed with Supervisors Davis, Malek, and Rasmussen opposing.

Report on Recent Village Board Meetings – Supervisor Davis reported that at the Village Board Meeting of October 10, 2011, resident Dave Rockteacher requested that the hydrant rental be moved from the tax bills to the water bills. Supervisor Davis reported that the speed box placed on Markham Road has slowed traffic down. Supervisor Davis reported that two (2) insurance companies were asked to attend the Board Meeting, of which only one (1) showed up. If the Village selects a new carrier, it appears that the Village would be covered with errors & omissions by the new carrier for things that may have occurred with the old carrier. Supervisor Davis reported that discussion took place regarding Board Members and employees speaking at other meetings, budget issues, employee health insurance, and the December 9th Winter Hayride. The meeting ended with the Village not going into closed session as anticipated. Village Trustee Mike Rice explained that if someone is recognized as a citizen, then they would be permitted to speak as a citizen.

Garbage & Recycling – Supervisor Rasmussen reported that the recycling grant application has been submitted and accepted. Supervisor Rasmussen reminded the public that yard waste drop-off will be held on Saturday, October 29th from 8:00 A.M. to 11:00 A.M. in the Town Park.

A motion was made by Chairman Kwiatkowski, seconded by Supervisor Davis to approve the contract extension through the year 2012, with the first year's rate at \$15.50 per unit. Upon voice vote, motion carried.

Chairman's Report – Fertilizing and Weed Control for the Town Park – Chairman Kwiatkowski reported that he received a quote and will submit the quote for review at the next budget workshop.

Used Caboda Lawn Mower Purchase – Chairman Kwiatkowski reported that the Village of Eagle Board has approved the purchase of a new lawnmower and will be trading in the old one. Highway Superintendent Betts has indicated that the Village would be willing to sell the machine to the Town for trade-in value. Highway Superintendent Betts explained to him that the machine is in great shape, with the exception of the mower deck which would cost the town an additional \$4,000. The monies for the mower would come out of the equipment fund. The monies for the deck will be placed into next year's budget.

Supervisor Davis stated that the Village proceeded with the purchase of the new mower because the Village also uses the mower for snow removal. The blower that they use will not work on future models.

A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to approve the purchase of the Caboda Lawn Mower from the Village of Eagle in the amount of \$4,000. Upon voice vote, motion carried.

Public Comment – Village Trustee Mike Rice explained that it was explained to the Village that it was a necessity for the Village to purchase the new mower.

Mr. Nick Wambach, W344 S10609 Island View Lane stated his opinion that those who hold Concealed Carry Licenses be required yearly practice.

There being no further business on the agenda, a motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to adjourn at 8:55 p.m. Upon voice vote, motion carried.

Lynn M. Pepper
Eagle Town Clerk