



TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
August 21, 2013
APPROVED MINUTES

Chairman Kwiatkowski called the meeting to order at 7:01p.m.

Present: Chairman Kwiatkowski; Supervisors Davis, Rasmussen, and West. Supervisor Malek was excused. Also present: Town Deputy Clerk Heinz, Town Treasurer Pasterski, Fire Chief Heim, and Recreation Director Blonien.

Agenda – A motion was made by Supervisor Davis, seconded by Supervisor West to approve the agenda. Upon voice vote, motion carried.

Minutes- Motion by Supervisor West, seconded by Supervisor Davis to approve the minutes of the Regular Town Board Meeting of July 17, 2013. Upon voice vote, motion carried.

Clerk's Report- Deputy Clerk Heinz presented the Accounts Receivable Summary Report and the Budget Report.

Treasurer's Report- Treasurer Pasterski presented the July, 2013 report. Savings balance as of 6-30-13 was \$223,644.06. Total cash was \$507,057.12. A motion was made by Supervisor Rasmussen, seconded by Supervisor West to approve the Treasurer's Report, as corrected. Upon voice vote, motion carried.

Claims- Claims totaling \$55,114.98 were reviewed. A motion was made by Supervisor Davis, seconded by Supervisor Rasmussen to approve the payment of claims. Upon voice vote, motion carried.

Recreation Department – Supervisor Davis reported that the Recreation Committee did not have a meeting this month. Director Blonien reported that soccer and football season starts in a couple of weeks. A coaches meeting has been held. Director Blonien provided the board with monthly reports. Chairman Kwiatkowski stated that Recreation Department budget looks good.

A motion was made by Supervisor Rasmussen, seconded by Supervisor Davis to approve the claims as presented. Upon voice vote, motion carried.

Lake Management District –Mr. Tom Day presented the July 14 – August 18, 2013 Lake Patrol Report. Mr. Day reported that it was a busy month. Mr. Day also reported that there have been several vandalism occurrences on the lake; 3 weather sensors were damaged by .22 caliber gunfire and a diesel tank was removed from the harvester and dropped near the lake. At the August 3, 2013 meeting the budget was passed and a motion to sell the ski property failed by a vote of 36 – 3. Mr. Day reported that a meeting with Pat Galligan, a retired engineer, was held on August 20, 2013 to discuss the restoration of Jack's Bay. They will be meeting with the DNR on August 30, 2013 to discuss further and obtain a permit to clean the muck & silt from the bay. The restoration process could take 1 -2 years.

Sheriff's Report- Michelle Larsuel, 2nd Shift Patrol Captain introduced herself. Discussion ensued regarding additional patrols for complaints with motorcycles and speeders. Captain Larsuel will check into and pass along information to the day patrol.

Library – Library Director Ally Chase reported that the library has received 2 grants. The first is a \$2,500 National Grant for adult programming in 2014 as it relates to science, math & engineering. The second is a DPI grant of \$250 to begin the “1,000 Books Before Kindergarten” program in 2014. Director Chase reported that summer programs are finishing up and fall programs will begin in September.

Fire Department/Fire Commission/Municipal Building– Supervisor Rasmussen reported that quotes are being obtained for crack filling of the fire department and municipal building parking lots. Chief Heim reported that it was a light month and calls are down for the year. The Fire Department will be hosting the Wednesday night Driver Operator Class this fall semester for departments that are within the Waukesha County Technical College districts. Chief Heim mentioned that the department benefits because the training is held in house and mileage will not be paid out. Chief Heim is also in the process of developing a recruitment drive.

Discussion ensued regarding the Ambo Savings Account and the recommendation by the Fire Commission to close the Ambo Savings Account and deposit Ambo funds directly into the General Fund. Chairman Kwiatkowski explained that this will eliminate multiple transfers of funds between accounts and possible overdrafts. All amounts will be still be tracked in Quickbooks. A motion was made by Supervisor Davis, seconded by Supervisor West to agree with the recommendation of the Fire Commission to close the Ambo Savings account and deposit Ambo Funds directly into the General Fund. Upon voice vote, motion carried.

Public Hearing on Special Assessments for Public Road Improvements for Saddle Ridge Drive. Mr. David Turiciano of Mawicke & Goisman, Attorney for Keith & Melanie Morgan , owner of Lot #7 in Saddle Ridge Subdivision stated that he has reviewed the Developer's Agreement. Mr. Turiciano stated that the Letter of Credit is to be used upon breach of the Agreement and there is clearly a breach. Mr. Turiciano stated that the Town should be seeking restitution from the bank that issued the Letter of Credit. Chairman Kwiatkowski stated that the Town has been advised by our attorney to proceed with Resolution. Chairman Kwiatkowski entered into record a letter received from the Morgans on August 15, 2013 objecting to the assessment cost levied upon them due to the failure of the developer. Chairman Kwiatkowski will ask the Town's attorney to speak with Mr. Turiciano.

Mr. Scott Beckwith, S103W37879 Betts Rd, Developer of Saddle Ridge Subdivision asked why the Board feels it necessary to make improvements immediately. Chairman Kwiatkowski stated that the Town Engineer looked at the road and recommended that it be completed at this time. Waiting will cause more damage and cost more to improve. Mr. Beckwith asked for a grace period. Chairman Kwiatkowski responded that it is a Board decision.

After hearing no public comments, a motion was made by Supervisor Davis, seconded by Supervisor Rasmussen to close the public hearing at 7:38 p.m. Upon voice vote, motion carried.

Resolution 13-03, a Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in the Town of Eagle. After discussion a motion was made by Supervisor Rasmussen, seconded by Supervisor West to approve Resolution 13-03. Upon voice vote, motion carried.

Hein - Discussion regarding the ban of the sale of fireworks. Mr. Tom Hein, S90W35660 County Rd NN asked why Ordinance 13-06 is on the agenda. Chairman Kwiatkowski stated that by allowing fireworks to be sold in the Town it makes it seem like the Town authorizes their use. For public safety and liability an Ordinance has been created to coincide with State Statutes. Mr. Hein stated that he doesn't believe this will help safety because he sells only to adults and his buyers know the law. Mr. Hein continued he feels singled out and he should have been contacted for discussion. Chairman Kwiatkowski stated that we need to protect ourselves from unlawful use of fireworks.

Fireworks Ordinance 13-06 – Discussion and possible action regarding Ordinance 13-06, an Ordinance Regulating the Possession, Sale and Use of Fireworks in the Town of Eagle. After discussion a motion was made by Supervisor West, seconded by Supervisor Davis to repeal Ordinance 13-05 and approve Ordinance 13-06. Upon voice vote, motion carried.

Award 2013 Road Rehabilitation Project. Supervisor West reported that the bid opening was at 10am this morning. Bids received from Payne & Dolan in an amount of \$127,374.00 and Wolf Paving in the amount of \$148,867.10. Supervisor West reported the Town Engineer recommends acceptance of the Payne & Dolan bid. After review and discussion a motion was made by Supervisor West, seconded by Supervisor Rasmussen to award the Rehabilitation Project to Payne & Dolan. Upon voice vote, motion carried.

Report on Recent Village Board Meetings – Supervisor Davis was unable to attend meeting. No report.

Garbage & Recycling –No report.

Business Park – No report.

Chairman's Report – Chairman Kwiatkowski set Budget Workshop date of September 11, 2013 at 7:00pm.

Public Comment – None.

There being no further business on the agenda, a motion was made by Supervisor West, seconded by Supervisor Rasmussen to adjourn at 8:07 p.m. Upon voice vote, motion carried.

Judi Heinz
Eagle Town Deputy Clerk