



TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
June 20, 2012
APPROVED MINUTES

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

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

Agenda – Motion by Supervisor Davis, seconded by Supervisor Rasmussen to move item #7 to immediately follow approval of claims and to approve the agenda as amended. Upon voice vote, motion carried.

Minutes- Motion by Supervisor Rasmussen, seconded by Supervisor Malek to approve the minutes of the Regular Town Board Meeting minutes dated May 16, 2012, as presented. Upon voice vote, motion carried. A motion was made by Supervisor Davis, seconded by Supervisor Malek to approve the Special Town Board Meeting minutes of May 22, 2012 as presented. Upon voice vote, motion carried. A motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to approve the Board of Review minutes dated May 22, 2012 as presented. Upon voice vote, motion carried.

Clerk's Report- Clerk Pepper presented the Accounts Receivable Summary Report. Clerk Pepper reported that the phone service with Nextiva proved to be less than favorable and described the numerous issues that the Town had experienced. Chairman Kwiatkowski added that after speaking with the clerk regarding the issues, he made the executive decision to change phone service providers immediately. Clerk Pepper reported that the new phone service is through Time Warner.

Treasurer's Report- Treasurer Pasterski presented the May, 2012 report. Savings balance as of 5-1-12 was \$172,559.83. Total cash was \$599,537.83. A motion was made by Supervisor Malek, seconded by Supervisor Davis to approve the Treasurer's Report. Upon voice vote, motion carried.

Claims- Claims totaling \$68,326.06 were reviewed. In response to Supervisor Malek, Chairman Kwiatkowski explained that there was vandalism at the Town Park again. This time damage was done to the white fence that surrounds the playground area. A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to approve the payment of claims. Upon voice vote, motion carried.

Recreation Department – Recreation Director Heywood explained that the department is currently at 73.1% of the projected income while the expenses are currently at 47.9%. Director Heywood reported that Kettle Moraine Days is this coming weekend and the department hopes to see a profit of two thousand dollars on their burger stand, Games in the Park program started today, Zumba program is back, and three of the five Eagle baseball/softball teams are currently undefeated. In response to Chairman Kwiatkowski, Director Heywood stated that her recent intern's Arts & Crafts Show brought in a \$770.00 profit to the department.

Sheriff's Report- No report.

Library – No report.

Lake Management District – Supervisor Malek presented the Board with the May Lake Patrol Report. Lake Management District Chairman Tom Day explained that June 4th and 5th saw a major algae bloom in Jacks Bay, Nick Wambach is moving forward with the district's landscaping plan, the resident suggestion to modify the ordinance as it relates to fast boat traffic and hours was defeated by the Lake Management District Board, and the district has decided to retain the two-year cycle for inspection of the pumping systems.

Fire Department/Fire Commission/Municipal Building – Supervisor Rasmussen reported that the Building Committee is obtaining bids to change the current lighting system in the Municipal Building to high efficiency lighting. Supervisor Rasmussen reported that daytime coverage was at 83% and weekend coverage was at 100%. There were twenty-three (23) medical calls, nine (9) fire, and two (2) ems calls last month. Fire Chief Heim reported that within the last week, Waukesha County Dispatch implemented a new two and one-half million system and they intend to implement a fee structure for access to this system beginning in 2013. The County Fire Chiefs Association Board, of which he is a member, has taken the position that charging fees for services that they currently provide is unacceptable. The Eagle Fire Department has been receiving this printed information for the past nine (9) years. Chief Heim asked that the Board consider taking a position on this matter as well. In response to Chairman Kwiatkowski, Chief Heim explained that currently all calls received also go out to a printer. The new system does not provide a print out for the call unless the municipality pays for this information.

Public Hearing for the Appeal of Operators License denial of Christina Talavera – Ms. Christy Talavera, W350 S10159 Highview Upper explained that she has been working for Brookwood Inn for the past two (2) years as a supervised bartender. Due to other circumstances, in order to continue to work as a bartender, she needs to obtain her operator's license. Since the Town Board recently denied approval of her license, she has been working as a waitress at Brookwood Inn. Ms. Talavera explained that she does not have a vehicle and due to the bars proximity, she is able to walk back and forth to work. Ms. Talavera explained that she knows that she has a bad history but is trying to do the right thing. In response to Chairman Kwiatkowski, Ms. Talavera explained that she has gone through counseling and has had two (2) assessments. Ms. Talavera explained that her counselor feels she is doing well. Ms. Talavera added that the manager for Brookwood intended to testify on her behalf tonight but was unable to come tonight because she had to work.

After hearing no public comments, a motion was made by Chairman Kwiatkowski, seconded by Supervisor Davis to close the public hearing at 7:34 P.M. Upon voice vote, motion carried.

In response to Supervisor Rasmussen, Ms. Talavera explained that she herself is not drinking nor driving. She stated that she knows when not to serve and if the patrons get angry with her, so be it. Ms. Talavera explained that she herself made bad judgments so she uses that knowledge to teach others. Ms. Talavera explained that she has lived in Eagle nearly her whole life.

Supervisor Davis stated that he gives her credit for coming forward in a public forum. In response to Supervisor Davis, Clerk Pepper explained that operator's licenses are renewed yearly and background checks are done for each applicant yearly.

A motion was made by Supervisor Davis, seconded by Supervisor Malek to approve the Operator's License request for Christy Talavera for a one (1) year period. Upon voice vote, motion carried.

Possible Raze Order for the home located at W348 S9015 Eagles Nest – Clerk Pepper reported that Bank of America and the homeowners of the property were sent a certified letter notifying them of this meeting. Chairman Kwiatkowski explained that he spoke with the Town Attorney regarding this situation and the attorney advised that the Town does have the option of razing the home at a cost of roughly \$15,000 but there is a procedure that must be followed. At this time, photos of the subject property were shown to the Board

Members. Chairman Kwiatkowski showed where the ceiling had collapsed and explained that there is black mold covering the walls and floors of the home. Chairman Kwiatkowski explained that the Building Inspector has seen the home but did not have the necessary protective gear to enter the home. The Building Inspector has declared the home uninhabitable and that the repair costs exceed the value. Chairman Kwiatkowski reported that he has received numerous calls from the Eagle's Aire Homeowners Association regarding the home and property. In addition, four (4) letters were received from neighboring homeowners. One of the homeowners contacted Bank of America and advised them that they needed to inspect the property. According to the homeowner, Bank of America stated that someone would be out next week.

Chairman Kwiatkowski explained the court process. Chairman Kwiatkowski explained that if the Town were to raze this home, the cost would be placed on the property's taxes as a special assessment.

In response to Chairman Kwiatkowski, Fire Chief Heim explained that a neighboring homeowner stopped by the fire station explaining that he thought he heard running water in the subject home and that there was a lot of condensation on the windows. Chief Heim explained that he contacted the Sheriff's Department who met him at the subject property. The concern was that if the water was still running, that would mean that the electricity was still on. In addition to the electricity concern, Chief Heim stated that he noticed that the natural gas meter was spinning and spinning. The utility companies were notified to shut off all utilities. Per state statute, entry into the home was made and photographs were taken. Safety was of great concern because of collapse potential. Chief Heim stated that he believes that a pipe burst in the upstairs bathroom approximately eight (8) or nine (9) weeks ago and that the damage was from wall to wall, floor to ceiling. Chief Heim explained that the water heater in the basement literally disintegrated. In addition, the sump pump was running and was discharging moldy water into the yard. Chief Heim explained that he contacted the Health Department who explained that there is no mold code in the State of Wisconsin.

Discussion took place regarding the current state of the home. Supervisor Davis explained that he viewed the home from the outside and felt that the Town should proceed. Supervisor Malek agreed. Treasurer Pasterski explained that if the taxes become delinquent, Waukesha County would pay the Town taxes and would sell the property for the uncollected taxes.

It was the consensus of the Board that Chairman Kwiatkowski obtain additional information on the raze process and to place this topic on the next Planning & Zoning/Town Board agenda under Town Board Only.

Renewal of Class B Combination Alcohol Beverages Licenses - A motion was made by Chairman Kwiatkowski, seconded by Supervisor Rasmussen to approve the Class B Combination Alcohol Beverages Licenses for Eagle Springs Golf Resort, Eagle Spring Pub, Inc., Eclectic Ingredients/Brookwood Inn, and Kettle Moraine Ranch, Inc. contingent that all taxes are current. Upon voice vote, motion carried.

Renewal of Class A Combination Alcohol Beverages License -- A motion was made by Supervisor Rasmussen, seconded by Supervisor Davis to approve the Class A Combination Alcohol Beverage License for Cornerstone Filling Station. Upon voice vote, motion carried.

Operator's License requests - A motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to approve the Operator's Licenses for Amy Muth, Amanda Dudley, Cynthia Senn, Vanessa Bemis, Dana Dentice, Kelly Edwards, Stephanie Furrer, Angela Long, Sally Reich, Kathryn Iloncaie, Connie Bauer, Bridgette Hart, Luanne Ervin, Stephanie Miller-Day, Sandra Wollenhaup, Kelly Hanson, Chris Hinz, Samantha Boushley, Dayna Costello, Meghan Mitten, Ann Salentine, Faith Salentine, and Tim Vandine, subject to completion of training. Upon voice vote, motion carried.

Election Inspectors - A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to appoint Gail Beck, Diane Linn, Francis Schillo, and Marion Schillo as Election Inspectors, terms to expire December 31, 2012. Upon voice vote, motion carried.

John and Karen Hoelzel - Request for approval for fermented malt beverages - A motion was made by

Supervisor Malek, seconded by Chairman Kwiatkowski to approve the serving of fermented malt beverages at their graduation party to be held at the Town Park on June 23, 2012 from noon. to 9:00 p.m.

Catherine Schultz - Request for approval for fermented malt beverages – A motion was made by Supervisor Davis, seconded by Supervisor Malek to approve the serving of fermented malt beverages at their graduation/birthday party to be held at the Town Park on July 28, 2012 from noon to 10:00 p.m.

Report on Recent Village Board Meetings – Supervisor Davis reported that, according to their unapproved minutes on the Village’s website, the Wisconsin Department of Transportation will be installing a stop sign at the intersection of STH 67 and STH 59, operator’s licenses were approved, and the Development Assistance Committee recommended to contract with FEH to develop a conceptual illustration for the proposed strip mall across from the Municipal Building.

Garbage & Recycling – Nothing to report.

Business Park – Chairman Kwiatkowski reported that the concrete has been poured for the UPI building addition. Chairman Kwiatkowski reported that there has also been an inquiry regarding purchasing land in the industrial park for a trucking company warehouse/storage facility.

Road Report - Chairman Kwiatkowski reported that the crackfilling and chipsealing for some of the Town roads will be beginning soon.

Chairman’s Report – Chairman Kwiatkowski reported that Independent Inspections has shown total project costs for the month of May at &71,800.

Public Comment – None.

There being no further business on the agenda, a motion was made by Supervisor Malek, seconded by Supervisor Davis to adjourn at 8:06 P.M. Upon voice vote, motion carried.

Lynn M. Pepper
Eagle Town Clerk