

TOWN OF EAGLE  
TOWN BOARD MEETING  
JUNE 21, 2006  
MINUTES

The meeting was called to order at 7:34 p.m. The Pledge of Allegiance was recited.

Present: Gillette, Kwiatkowski, Malek, West and Davis. Also present: Treasurer Pasterski, Atty. Adelman and Clerk McMillan.

Minutes- Motion by Malek, seconded by Gillette to table the minutes from May 17, 2006 until next month, to allow for more time to review since they were just received. Motion carried. Motion by Malek, seconded by Kwiatkowski to approve the minutes from May 31, 2006. Motion carried.

Clerk's Report- Correspondence was received from WCTC regarding the 2007 budget. It was noted that paper copies will not be distributed, however the budget is available online at the college's website.

Treasurer's Report- Mr. Pasterski reported May receivables were \$29,654.22. Total held in all accounts as of 5/31/06 was \$924,224.17. A correction to the April report was made due to a typographical error in the transfer amount. The year-to-date budget report showed expenditures of \$539,351, which is 38.7% of the total expense budget. Mr. Pasterski shared information regarding the Town's recent population growth and preliminary assessment figures. Motion by Kwiatkowski, seconded by Malek to approve the treasurer's report. Motion carried.

Claims- Claims totaling \$56,788.57 were reviewed. Discussion followed regarding unpaid balances owed to the Town for engineer's fees. Motion by Kwiatkowski, seconded by Malek to approve payment of the claims. Motion carried.

Lake Management/Lake Patrol- Sgt. Dennis Nork reported on last month's Lake Patrol activities. Sixteen citations and 40 warnings were issued. Boater safety class will be held in Mukwonago this year, from 7/27 – 7/30. The 2005 audit went well. Discussion followed regarding a potential problem with a new type of wakeboards. Lynette Check will be invited to the next Planning & Zoning Commission meeting to give an update on work at the DNR's Boat Launch property. Signage to prohibit visitors to the Boat Launch from parking on CTH E was discussed.

Public Comment- Deputy C. Spielvogel was present and informed the board that the burnout issues (tire marks) and ATV problems have been handled. A dog shooting remains under investigation.

Eagle Meadow Farms- Developers Dave Cass and Tom McAdams were present to inform the Board that the remaining property in Eagle Meadow Farms subdivision has been purchased by Tom McAdams' company. Discussion followed regarding the replacement of associated documents, as well as a request for a reduction in the Letter of Credit for the subdivision. Motion by Gillette, seconded by West to reduce the Letter of Credit for Eagle Meadow Farms to \$50,000. Motion carried. Motion by Kwiatkowski, seconded by Malek to accept the replacement of the Developer's Agreement and the Letter of Credit, subject to receipt of a Letter of Credit that states it is renewable. Motion carried. Motion by Malek, seconded by Kwiatkowski to approve the replacement of the Certificate of Insurance. Motion carried.

Library- Director Alli Chase gave a report on library standards, governance, circulation statistics, and upcoming events. Recent technology purchases include a new computer and laptop. A second phone line has been installed to better serve library patrons.

Cable Ordinance Enforcement Request- Town resident Bob Agenten was present and informed the board that Time Warner has refused to make cable services available at his home on CTH NN. He asserted that a Town ordinance requires full service to be provided to every resident, and requested that this ordinance be enforced. Atty. Adelman advised that there was an agreement made with Time Warner after the original one with Ingersoll Cable, and that the requirement for full service was exempted in that agreement.

Liquor License Renewals- Applications for renewal of four "Class B" Intoxicating Liquor and Fermented Malt Beverage Licenses were reviewed for the following locations: Brookwood Inn, W343 S10206 Highway E; Eagle Springs Golf Resort, W352 S10355 Tuohy Road; Eagle Spring Pub, W345 S10463 Highway E; and House in the Woods Auction Gallery, S91 W37851 Antique Lane. One "Class A" Intoxicating Liquor and Fermented Malt Beverage License application was submitted for renewal for Gillette's Country Store, S101 W34414 Highway LO. Motion by Kwiatkowski, seconded by Malek to approve the license for Eagle Springs Golf Resort with Michael Bolan, agent. Motion carried. Motion by Kwiatkowski, seconded by Davis to approve the license for Eclectic Ingredients, with Daryl Brooks for agent, at the Brookwood Inn. Motion carried. Motion by Kwiatkowski, seconded by Malek to approve the license for Lynne Seitz at the House in the Woods Auction Gallery. Motion carried. Motion by Kwiatkowski, seconded by Malek to approve Jerry Gillette, at Gillette's Country Store for a Class A license. Motion carried. Motion by Gillette, seconded by Davis to approve the license for Eagle Spring Pub, with James Olive, agent. Motion carried. Applications for operator's licenses were also presented for approval. For Brookwood Inn: Renewals- Dionna Brooks, (for the remainder of June 2006, and for 7/1/06 – 6/30/07), Shelly Ohlsson, Richard Ohms, and Doreen Skrepenski. New- Lori Kimball and Jenny Szymkowski. Motion by Kwiatkowski, seconded by West to approve the applications for renewal for the Brookwood Inn. Motion carried. Motion by Kwiatkowski, seconded by Davis to approve the new applicants from Brookwood, subject to proof of class completion. Motion carried. For Eagle Springs Golf Resort: Renewals- Laura Bauer, Micky Collins, Suzanne D'Amico, Luanne Ervin, Mary Kroeze, Kaycee Meracle, Melanie Meracle, Ann Szaniszló, and Sandra Wollenhaup. Motion by Davis, seconded by Malek to approve the license renewals for Eagle Springs Golf Resort as listed. Motion carried. For Eagle Spring Pub: Renewals- Dana Dentice, Christine Koprowski, Josie Long, and Sally Reich. New- Kelly Edwards and Stephanie Hanson. Motion by Gillette, seconded by Davis to approve the Eagle Spring Pub renewals and the two new applications. Motion carried. For Gillette's Country Store: Renewals- Angie Gauger, Samantha Gillette, Elizabeth Hermanowski, Kristin Hudson, Geraldine Mehlberg, and Michelle Paape. Motion by Kwiatkowski, seconded by Davis to approve the licenses as listed, with the removal of Kristin Hudson. Motion carried. Motion by Kwiatkowski, seconded by Davis to deny the renewal of the license for Kristin Hudson. Motion carried. House in the Woods: Motion by Kwiatkowski, seconded by Malek to approve the renewal of the license for Adam Seitz. Motion carried.

Salvage Yard License- Application for the license renewal for Western Eagle Auto Salvage, S90 W38028 Hwy. 59 was reviewed. Mr. Gillette reported a special inspection showed compliance with Conditional Use requirements. Motion by Kwiatkowski, seconded by West to approve the license renewal for operation of Western Eagle Auto Salvage for one year. Motion carried.

Elections- A Memorandum of Understanding to allow Waukesha County staff to perform duties related to the Statewide Voter Registration System (SVRS) was presented for review and approval. After discussion, a motion was made by Davis, seconded by Malek to go with Waukesha County for the Statewide Voter Registration System. Motion carried. Information was presented on contracts for the group purchase of hardware and maintenance for new election equipment, as coordinated by the County Clerk. Equipment that is accessible for individuals with disabilities is required by the Help America Vote Act (HAVA). Federal funding of \$6000 to cover the cost of the equipment will be provided through a grant reimbursement program. Motion by Davis, seconded by Malek to go along with the County for election equipment. Motion carried.

Municipal Building- The interior painting, carpeting, and tile projects in the common areas of the building will be done next month. Mr. Kwiatkowski asked for board comments on the Municipal Building Mission Statement.

Fire Department/Fire Commission- Mr. Kwiatkowski reported the hiring of a new Fire Chief is close to being finalized. Discussion followed regarding the Fire Dept. Mission Statement regarding roles and responsibilities for committee members.

Village Board Meetings- John Davis reported on items of interest from the last Village Board meeting. During the public comments, Roger Kussman criticized President Spurrell's recent letter to the editor of the Mukwonago Chief. The likelihood of the Town & Village Boards meeting jointly on 6/26 as scheduled is uncertain. Approval was given for three Certified Survey Maps as well as the Final Plat for Saddle Ridge subdivision, all of which are located in the Town but subject to the extraterritorial jurisdiction of the Village. The application for rezoning of the Bielinski property that was recently annexed into the Village failed on a 3-3-1 vote. An issue regarding the parking of a school bus in a Village subdivision was referred to committee. The slab for the information center kiosk is scheduled to be

done in July. A police grant application for night goggles was approved. A new police clerk was hired. The enforcement of the vehicle noise ordinance was discussed.

Municipal Court Data Entry- Atty. Adelman recommended approval of the Clerical Services Agreement with the Town of Mukwonago for entry of citation data, with revisions as suggested by the Town Clerk and Mukwonago data entry personnel. Motion by Kwiatkowski, seconded by Malek to approve the revised agreement. Motion carried.

Park & Recreation- Mr. Malek reported Kettle Moraine Ranch and Knucklehead Pub are planning a fundraising event at the ranch for Labor Day weekend, with 50% of the proceeds going to the Park & Rec Dept. A special meeting and hearing regarding licenses and permits related to the event has been scheduled for 7/12/06.

Garbage/Recycling- Mr. Kwiatkowski reported the compliance system required for the recycling grant is already in the Town's recycling ordinance. A copy was attached to the grant application. Inquiries regarding yard waste pickup have been received.

Roads- Procedure for bidding for crackfilling and other roadwork were reviewed. Discussion followed regarding current high costs of asphalt. Requirements for reduction in speed limits were then discussed. Mr. Gillette will get quotes to address culvert issues on Sprague Rd., and for removal of dead trees on South Rd. A gravel situation on Piper Rd. was taken care of. The Town's salt shed needs to be brought into compliance with state regulations.

Engineer's Fees- Procedure to require payment for engineer's fees in advance (rather than waiting for payment at the time of official document signing) from developers and property owners requesting land divisions was discussed. Mr. Pasterski recommended regular monthly billings, and to add interest if not paid. Atty. Adelman advised an ordinance revision would be necessary. The deputy clerk will be assigned to send out monthly billings.

Park Pavilion- Mr. Pasterski stated that progress on the pavilion is on hold until advice on certain issues is obtained from the attorney.

Chairman's Report- Appointments for the Historic Preservation Committee, Park Committee and Board of Review Alternates were discussed. Atty. Adelman was asked to research.

Attorney's Report- Regarding agenda specificity, Atty. Adelman gave advice on statutory requirements. She summarized her concern by saying that the agenda items need to show subject matter. For example, "Chairman's Report" identifies a person, not a subject. An e-mail from Rich Spurrell was received on 6/20 regarding the Fire Commission ordinance revisions. The section related to water charges was left blank. Town Board action is not necessary at this time. The new statute affecting land divisions and impact fees has caused the Town's ordinance to be unlawful. Revisions and a new engineering study will be necessary. Motion by Malek, seconded by Kwiatkowski to proceed and direct the Town Engineer to do the study. Motion carried.

Closed Session- A motion to go into closed session per Wis. Stats. 19.85 (1)(g) to confer with legal counsel for advice concerning litigation in which it is involved with the Village of Eagle was made by Kwiatkowski, and seconded by Gillette. Roll call vote was taken: Gillette- yes, Malek- yes, Kwiatkowski- yes, West- yes, Davis- yes. Motion carried. After returning to open session, a motion was made by Davis, seconded by Kwiatkowski have the Town Attorney move forward as discussed in closed session. Motion carried.

Public Comment (cont.)- Dan West distributed copies of a recent letter to the Mukwonago Chief with an interesting perspective relating to agriculture vs. retail development issues.

There being no further business, a motion was made by Malek, seconded by West to adjourn at 11:10 p.m. Motion carried.

Respectfully submitted,

Sally McMillan  
Town Clerk