

VILLAGE OF EAGLE REGULAR BOARD MEETING  
APPROVED MINUTES – MAY 8, 2008

President Richard Spurrell called the monthly meeting of the Eagle Village Board to order at 7:30 p.m. The deputy clerk confirmed Open Meeting Law requirements. Roll call was taken: Couch, Rice, Scheff, B. Spurrell, R. Spurrell, Thomas-present; Salmela-excused.

President Spurrell led the Pledge of Allegiance.

Minutes from the previous meeting were reviewed. Thomas moved and Rice seconded the approval of the minutes from the April 10<sup>th</sup> meeting. Motion carried unanimously.

Trustee Rice asked for some clarification of the General Checking and Water Operations Checking accounts. He was looking for documentation for the balance sheets that had been distributed. Rice also asked for clarification on the Water Utility budget. President Spurrell explained. Motion made by Couch and seconded by Rice to approve the treasurer's report as submitted including the May accounts payable disbursements (Ck.#s 13006-13034). All were in favor.

Citizen Comments/Concerns:

Jim Frisch of 817 Sutton Drive questioned when the Sex Offender Ordinance was going to be sent to the Village Residents. He thought it was to be with the latest water billing. President Spurrell indicated that the map that needed to be included was received after the water billing and that there had been many items already in with the current billing, but it would be sent out at the next water bill mailing. Mr. Frisch also wondered what was being done with the area between lots 2 & 3 of the Fox Chase subdivision. He stated that there is concrete being dumped there, and expressed concern for drainage, etc. Mr. Frisch also reported that the sidewalk on Markham Road is showing signs of erosion with all the rain lately. His concern is the safety of pedestrian traffic.

Announcements:

President Spurrell welcomed the newest member of the Village Board, Mike Rice.

Tom Thomas announce that the Village of Eagle Web site is up and running. There is still some minor work that needs to be done, but it is easier to access. The web site is [www.eagle-wi.gov](http://www.eagle-wi.gov). Thomas stated that a Village resident, Jonathon Nazario, was exceptionally instrumental in creating the site. Trustee Rice commented that Tom Thomas should be thanked for all his work on this project as well.

Chief Ehlers reported that the Speed Board that had been donated to the Village Police Department is in use and already is effective in slowing down traffic on Main Street. He went on to report that Fire Chief Heim has donated the old CPR manikins to the PD for training. Another issue that Chief Ehlers reported on was the Law Enforcement mandate regarding audio taping the interview of a juvenile. Requirements are growing to include video taping not just the juveniles. Officer Harnisch of the Police Department has been working on his own time to obtain a grant for audio/video equipment totaling \$2915.00. Chief Ehlers was happy to announce the grant from the Office of Justice Assistance was awarded to the department.

Chief Heim reiterated that it was good to keep the CPR manikins in the Eagle Community and was glad the Police would find them useful. He reported that there were 10 EMS calls and 11 fire calls during April, and everything was going well. The department will be adding a full time and part-time volunteers. Trustee Couch told Chief Heim that the Early Warning system batteries would be handled by the DPW. The Chief also reported that the third Thursday of each month would be the tornado warning siren testing.

Ellen Gregg and Nancy Groen of the Eagle Business Association presented information regarding the flags on Main Street. The EBA is involved in decorations for the 4<sup>th</sup> of July and Christmas on Main and since it is a not for profit organization, they are asking the Village for some monetary help to replace 19 flags at a cost of \$19 each and 6 brackets at \$7 each. The total cost is approximately \$400.00. Trustee Couch stated that instead of the Village, Couch Properties would make the donation.

Nancy reported that the EBA spent \$1000 toward sending items to the troops for Christmas. Although they did have help from other local organizations, this project is growing and it would be wonderful the community organizations could work together.

#### Committee Reports/Action Items:

Planning Commission: It was recommended by the Planning Committee to approve the CSM submitted by Roy and Ellen Gregg which was a re-division of Lot 2, CSM #10000 and a re-division of Lot 3, CSM #8926 for property located in the Village Industrial Park. Couch so moved and B. Spurrell seconded the motion. All were in favor. Motion carried.

Planning Committee recommended to approve the business plan submitted by Dennis Tomasik for property located in the Village Industrial Park (Gregg re-division). The plan is for storage of business equipment. Motion to approve was made by Couch and seconded by Scheff. Thomas questioned some items from the Planning Committee that had not been given to the Regular Board members. It was explained that some items come to the committee too late to get all the information to the members, but all members should be aware of what the committee is working on. After a brief discussion, the vote was taken and all were in favor.

Recommendation by the Committee to approve the business plan(s) submitted by Mark Marzion and Bonnie/Dennis Hunkins for property located at 103 W. Main Street (formerly Mealy's Furniture Store). Trustee Rice questioned if the building is in compliance with the building codes. The Building Inspector will need to approve any work done, but the septic system has been approved by Waukesha County was the response. Motion to approve the business plan(s) was made by Couch. Scheff seconded the motion. The motion carried following the vote.

Recommendation relating to the Fox Chase Active Adult Apartment Homes, formerly known as the Senior Apartments: site plans and builder's agreement were presented to the Board. Brian Depies from Bielinski and Tom Frank, construction manager for the project gave a presentation showing color selection, material that will be used, drainage and erosion control, and the changes that have resulted since the first submission of plans. Discussion followed

including the entrances off of Markham Road, the approval of the Fire Chief for access, and the septic system. May 19th the Bielinski will be meeting with the State of Wisconsin for final approval. A mid June start time is anticipated with March 31, 2009 expected to be completion. Trustee B. Spurrell questioned the “active adult” title-wondering if this would affect the age requirements for the complex. Depies responded that 80% of the residents must be 55 years of age or older per the developer’s agreement. Couch made a motion to approve the site plans and builder’s agreement. The second was made by Scheff. Discussion followed when Rice asked to see the agreement since he had not had a chance to go over it before the meeting and was not comfortable voting on such an important matter. Couch stated that the agreement had been in the Village Office since the beginning of the week. Thomas stated he didn’t want to hold up the project any longer but agreed with Rice and wanted some time to look over the agreement. Thomas went on to say these were the best site plans he has seen to date. Depies explained that this document had been submitted to Atty. Reilly who had made some recommendations. Recommendations were met and resubmitted to Planning Commission. It was decided that the site plans would be voted on before the developer’s agreement since some members needed more time to read it over. The developer’s agreement approval will be discussed and voted on later in the meeting when it comes up on the agenda. Couch withdrew his motion and Scheff withdrew his second. With a clear table, the motion was made by Couch to accept the site plan with the grading and erosion control, water main and storm sewer as submitted. Scheff seconded the motion. There was no further discussion. Members voted and motion passed. President Spurrell then explained to all present that all entities need to approve the plans: the State, Waukesha County, etc. If not approved by any one of these, the whole project can be put on hold. There was a brief discussion.

The next item on the agenda was the developer’s agreement. President Spurrell explained again that all the recommendations made by the attorney were met by Bielinski and answered questions relating to this topic. Couch moved to approve the developer’s agreement. The second was made by Thomas. After the vote, the motion was approved.

The reduction of the letter of credit for Bielinski was then discussed. Specifically mentioned were issues with Lots 2 and 3 of Fox Chase and the drainage on the Jurkowski property. Depies stated that he just found out about Lots 2 and 3, so nothing has been done. They will address this when they know more about the situation. The Jurkowski matter started August 20, 2007 when the homeowner wrote a letter to Bielinski regarding standing water. Engineers were sent out and it is believed that because the homeowner is satisfied, the problem has been solved by correcting an infiltration system. As far as a reduction of the letter of credit: because there is no documentation available to give an exact figure. There was more discussion and explanation of the Lots 2 and 3 problems. It was stated that concrete has been dumped there. Rice moved to table the approval of the reduction of the letter of credit until all the paperwork and figures are available to all Board members. Seconded by Scheff. Motion carried with of vote of 5 to 1.

Recreation Trail Grant of Easement (Fox Chase East) was discussed. Grant of Easement item #6-responsibility of the Village for maintaining the hard surface was clarified. There are signatures missing on page 2 of the document making it a non-recordable document. The discussion followed regarding the clearing of snow on the trail. Bielinski is not responsible to clear it. The discussion resulted in the fact that a decision did not have to be made at this meeting. Rice then asked for clarification of the storm water management agreement document. Discussion followed. Rice wanted it on record that the storm water management practices were discussed at the Board level. Motion to approve the Recreation Trail Grant of Easement (Fox Chase East) and the Fox Chase East Storm Water Management Practice Maintenance Agreement was made by Couch and seconded by Scheff. No further discussion. After a unanimous vote the motion carried.

The Resolution to approve the Amended Established Street and Highway Width Map of Waukesha County was next discussed. There were no changes on any of the documentation since the last time it was presented. For simplicity sake for working with the County, President Spurrell recommended that there be a formal approval. Motion to approve was made by B. Spurrell and Rice made the second. No discussion. Motion passed.

Designation of the Official Posting places and Official Newspaper: posting places are the Village Hall, Post Office and the BP Station, and Mukwonago Chief is the official paper. Rice moved to keep both the posting places and newspaper the same. Scheff seconded the motion. All were in favor.

Wednesday, May 28<sup>th</sup> from 5:00 – 7:00 p.m. will be the Board of Review. Members are needed to be on the Board in addition to President Spurrell. Three (3) volunteers are needed. B. Spurrell volunteered along with Rice and Scheff after a brief explanation was given.

#### Committee Reports:

Park: Steve Deegan requested approval for hiring a part-time employee at a rate of \$8.00 per hour to assist him with the added duties of the Park and other areas of the Village. Rice asked if this is a budgeted item. President Spurrell stated it is budgeted each year. Scheff moved to approve the hiring of a part-time person at \$8.00 per hour upon Steve's decision after interview. B. Spurrell seconded the motion. Vote was taken and motion carried.

Next item discussed was the replacement of lights and updating of electrical service to the Park shelter. Couch explained what was needed to be done. Discussion followed regarding the cost, bids and whether the money could come out of the Park dedication fund since it is an improvement. Rice moved to approve the electrical work at the Park shelter not to exceed \$750.00 contingent upon being able to use the park dedication fund monies. Scheff made the second to the motion. All voted in favor. Motion carried.

Streets and Sidewalks: Approval is requested for paving Sherman Street from Hwy 59 to the railroad tracks and from the railroad tracks to Main Street. There are two separate bids submitted. From Hwy 59 to the tracks, the bid is \$9,810 and from the tracks to Main Street is \$18,605. The budget allowed for \$35,000 in repairs this year, so the cost will not be a problem.

The remaining budgeted monies of approximately \$7,000 will be used for crack repair which has not been done for three (3) years. The crack filling would be done only until the \$7,000 is used up. Rice commented that he thought the budget was for \$40,000. It was explained that approximately \$4,000 has already been used, leaving the balance as stated. Other areas of repair were discussed and stated that each year these projects are put in the next year's budget. Scheff moved to approve the repair work on Sherman Street from Hwy 59 to the railroad tracks for \$18,605 and from the railroad tracks to Main Street for \$9,810, and crack filling up to budget allowed. Couch seconded. President Spurrell explained that these are separate bids. If one bid totals more than \$25,000, the Village needs to publish the project and have a minimum of three (3) bids, thus the need for separate bids. Vote was taken. Motion carried.

The next item for discussion and approval was the completion of the sidewalk on Markham Road including topsoil and seeding. Scheff reported that a bid from Teaspoon Excavating, LLC was received for \$1,680 to provide topsoil, power rake, seed, straw and fertilizer on the area from the Post Office to the walking path. Monies were received from Redmond Construction for the completion of the sidewalk, so the cost should not be a factor. Motion to approve was made by B. Spurrell and seconded by Thomas. All were in favor.

President Spurrell asked Trustee Couch if he had information regarding the area around old Well #1, next to the Legion Post. Specifically, he questioned if paving would be done this year. Couch reported that he spoke with Roger Kussmann who said he's waiting for the Legion, the Citgo and the telephone company for answers regarding the areas pertaining to them. Couch went on to state that there is still money from the Well #1 fund to cover the paving around the information center. Work should be done on the building and hope to be done by June. Couch will do follow up.

Discussion followed regarding the Committee Appointments and the Joint Municipal Committee (Smart Growth Committee). Couch moved to approve the Committee Appointments and Rice seconded it. Vote taken, all were in favor.

Trustee Rice presented information and proposal for the Eagle Main Street Market that is in the planning stages. The area behind the Fire Station was proposed as an area for an open air market for Saturdays during the summer. Vendors could possibly be crafters, fruits and vegetables, etc. Documents showing other municipalities' forms and flyers were presented to the Board members. Questions arose regarding seller's permits, fees for renting a space/booth and other concerns. Rice said it would be a good way to attract people to the downtown area. It was decided that a Committee should be formed and go before the Code and Ordinance Committee. Since it was just a suggestion/discussion, there was no need for a vote.

Motion to adjourn was made by Couch and seconded by Scheff. Meeting adjourned at 9:41 p.m.

Respectfully submitted,

Darlene Sterzinger  
Village Deputy Clerk

