

**REVISED**

REGULAR BOARD MEETING  
“UNAPPROVED” MINUTES - APRIL 10, 2008

President Spurrell called the monthly meeting of the Eagle Village Board to order at 7:30 p.m. The Clerk confirmed Open Meeting Law requirements. Roll was taken: B. Spurrell, Scheff, Salmela, Thomas, R. Spurrell – present; Kussmann, Couch – excused. President Spurrell led the Pledge of Allegiance.

Moved by Salmela to approve the minutes of the March 13<sup>th</sup> meeting as submitted. Scheff seconded; motion carried unanimously.

Moved by Salmela to approve the treasurer’s report as presented including the April monthly disbursements (Ck. #s 12933-12966). B. Spurrell seconded. All in favor.

Citizen Comments/Concerns:

Larry Wilkinson, 404 Kettle Moraine Dr, speaking on the issue of waiving the impact fees for the Sr. Housing Project, stated that the Village has been seeking senior housing at the Markham location since 1998. He addressed the Board members by saying that if you are in favor of senior housing vote yes; if not, vote no. In his opinion it is a no-brainer.

Jim Frisch, 817 Sutton Dr., commented that a public hearing should be held before any decision is made regarding the waiving of impact fees and is concerned about setting a precedent.

Tom Welch, 713 Golden Nugget Cr. stated that while he is in favor of Sr. housing, feels the issue should be put to a referendum.

Malinda Kenney, 806 Henley, stated she never heard any reference that the rent would be lower if the impact fees were waived and requested clarification at some point. She also asked the Board if any consideration or planning has been done for the Harley Davidson’s 105<sup>th</sup> anniversary. In putting the foundation out there, she stated other communities are preparing for this event; the bikers will be here so why not capitalize on it as a community.

Dave Rockteacher, 335 Eagle Street, stated that he is curious about whether Bielinski will build if the fees are not waived.

In response to the inquiries regarding the Sr. Housing Project, President Spurrell stated that many of these issues will be addressed later in the meeting.

Announcements:

President Spurrell thanked the members of the current Board for their time during the past interesting year. With Kussmann choosing not to run, the Board will be a little different next month, with Mike Rice sitting at the front table. He also stated that he is hoping for a little calmer year.

Police Chief Ehlers announced that the committee has approved the promotion of Sergeant for Officer Bord effective May 1<sup>st</sup>. Ehlers also stated that after meeting with the Lions Club, as in the past, they have agreed to donate \$467 for purchase of Milwaukee Brewer baseball cards and also glow sticks for use on Halloween.

#### Planning Commission

President Spurrell reported that the Commission has recommended approval of a Holding Tank Agreement for Marzion Properties at 101-103 E. Main Street. He also indicated that this is one of multiple steps to be taken, including approval by Waukesha County. Moved by B. Spurrell to approve the Holding Tank Agreement. Motion was seconded by Salmela and carried unanimously.

Addressing the recommendation for approval of a meat market/deli/catering business at 101 E. Main Street, President Spurrell reported that the business is currently in North Prairie (formerly Bill's), and is looking to relocate and use part of the liquor store. He also stated that the Commission had discussed the issue of competition with a possible grocery store. The owner, Mr. Ferraro stated he is in need of space and that the operation of the business from North Prairie will not change. When asked he also stated that he would be engaging in a 5-yr. rent agreement. Following discussion relating to equipment that may need to be installed, e.g. a grease trap, moved by Scheff to approve the plan for a meat market/deli/catering business contingent upon the County's approval of the Holding Tank Agreement. Thomas seconded motion, all in favor.

With the audit of Village record keeping having been completed, Wendi Unger, Virchow Krause, presented an overview of the 2007 financial highlights and the results of operations which indicate a general fund balance, higher than average and the ability to borrow approximately \$6,000,000. The summary also included audit objectives, internal control consideration, and identification of material weaknesses. Moved by Salmela to approve the audit report as submitted. Motion was seconded by B. Spurrell and carried unanimously.

Moved by B. Spurrell, seconded by Scheff to set the date of May 6<sup>th</sup> for Open Book (3:00 – 7:00 p.m.) and May 28<sup>th</sup> for Board of Review (5:00 – 7:00 p.m.). Motion carried, all in favor. Members for Board of Review will be selected/appointed at the May Board meeting.

#### **Committee Reports/Action Items:**

**Joint Park & Rec** – In response to President Spurrell's inquiries at the March meeting concerning fees, Village Representative, Trustee Salmela distributed the fee calculation system that is used by the Director. Using the Weight Loss Walking Club (\$55/\$65) and the Bicycle Club (\$12/\$18) as an example, the Walking Club has an instructor, whereas the Bicycle Club does not.. The rule of thumb is \$12 for a minimum of five (5) members. Profits will vary for each program depending on the number of registrants and instructor costs. For the major sports, baseball and soccer, fees have remained the same, with the exception of an \$8 increase in baseball for caps and shirts (participants keep both and Pee Wee baseball fees dropped \$20 in 2007. In answer to the question, where do ideas come from for selecting programs, Salmela stated that they are obtained from networking with other directors, surveys and parent input. He also reported that the Park & Rec advertise the Easter Egg Hunt as a way of getting the

message out and baton twirling was conducted elsewhere. President Spurrell extended his thanks to Salmela, but stated for the record that he would like to see the fees lower. On a different note, Salmela will speak with the DPW Superintendent regarding the restrooms; he would like to see them open during the day.

**Library** – The Library Director has requested the approval of the opening of a savings account; President Spurrell stated that currently all funds received from both the Town and Village are in their one (1) checking account. This would allow for transferring funds between the accounts when necessary to pay expenditures and yet let the money work for itself, similar to the Fire Department; both are joint ventures. Spurrell indicated that while the Town and Village have different accounting procedures by law, this should not affect the library. Moved by B. Spurrell, seconded by Salmela to approve. Motion carried, all in favor.

**Police & Licensing** - Trustee Thomas turned over the consideration of appointment of a part-time officer to Chief Ehlers for a brief explanation. Ehlers stated that he is limited in attending any free training or conferences for a number of reasons, but mainly because if he is out of the office for any period of time, there has to be a shift change, leaving 3<sup>rd</sup> shift uncovered. He commented that this is no longer a viable option; residents expect coverage, particularly 3<sup>rd</sup> shift. In addition, when he takes vacation or an impromptu sick day, there is no 1<sup>st</sup> shift coverage. The Committee threw some ideas around and Terri Duffy comes into the picture. Duffy has been Police Clerk for two (2) years, has a minor in Criminal Justice and expressed an interest in police enforcement. The Village does have funds earmarked by the Dept. of Justice for an officer to attend/complete the academy over a period of three (3) years, thus the cost to the Village would be minimal. Duffy would continue to work 29 hrs. a week and her status as a part-time employee would not change. Ehlers believes it is a win-win situation. Following a brief discussion, moved by Salmela to approve the appointment of Terri Duffy as police officer effective May 1<sup>st</sup>. Scheff seconded. Motion carried unanimously.

**Development Assistance** – President Spurrell reported that Roger Couch and himself did meet with Bielinski at their headquarters to find out where the Village stood if the impact fees were not waived. Bielinski did say waive the fees or the Sr. housing will not be built. Waiving the fees does tie into rent. According to Frank Bielinski, their goal is to keep rents under \$700. They cannot meet this if the fees are not waived. Bielinski has also hired a different architect and new, hopefully final, plans will be presented to the Planning Commission later this month. The new plan, similar to one that was presented initially, addresses two (2) of the concerns expressed by not just Fox Chase residents, but others as well. The entrance will be off Markham and it will not be a three-story structure. Bielinski is confident that the community will accept this plan and will move forward, if the impact fees are waived. Deferring them is not going to happen, a partial is not going to happen. They are telling us waive all of them or this Sr. housing is not going to happen in Eagle. General discussion followed with Trustee Thomas stating that he doesn't want to give up anything, but if we do waive the impact fees we gain \$250,000; if we don't waive the fees and nothing is built, we gain no tax revenue, other

than taxes on a piece of farmland. Thomas continued by saying even with the impact fees the majority is for water and there is a real good chance that we would not use them in the timeline before we have to give them back anyway. President clarified that with the new plan, it does change the unit count to between 92-96 units, approximately 25% lower. So the \$250 figure is no longer \$250. Spurrell then presented an approximation of what the new impact fees would be based on a maximum of 96 units. He indicated that last month he was willing to waive the water impact fee of \$189,00; Bielinski is saying drop the other approximate \$68,000 (police and library). General comments from other trustees included the fact that many residents have left the Village of Eagle because there was no Sr. housing. B. Spurrell who has been on the Board from day 1 of this project stated that this is the closest the Village has come and the Board would be doing an injustice to the community if the fees are not waived. Scheff questioned other possible uses of the land, including rezoning possibilities, and whether Bielinski would even sell the land to another developer. President Spurrell stated the bottom line is Bielinski owns the land; it is their decision, not ours. He continued indicating that residents want this development and stated that there is justification in a public hearing or a referendum, but due to the timing, he feels Bielinski may pull out. Bielinski does have the leverage. He then asked for a motion. Moved by B. Spurrell to waive the impact fees so that the Village can have the Sr. Housing Apartments. Salmela seconded. Under further discussion, President Spurrell clarified that in his mind he was ready to waive water last month and it didn't happen. If we waive water it would be roughly \$89,000 and in his mind, that is what is being considered tonight. A roll call vote was taken: B. Spurrell – yes; Scheff – yes; Salmela – yes; Thomas – yes; R. Spurrell – yes. Motion carried unanimously. For the record, President Spurrell apologized to the people that they do not have their public hearing or referendum, he is not trying to shut them out, but we do want the Sr. housing.

President Spurrell apologized that Roger Kussmann, due to family health issues, could not be at the meeting. He wanted to address the Board as a whole but he did have a few items for Kussmann. He stated that this has not been one of the smoothest years. There has been discussion at the Board that the public wants to hear but they don't want the Board to do. We do make a decision that affects this whole community. He hopes that people do understand this; you can't please everyone all of the time. Spurrell gave credit to the Board for standing up there and doing what they do. In just recent years, he stated that a couple have stepped down after one (1) term for various reasons and that it is probably public knowledge that all seven of us (The Board) have not gotten along, and this is where he gave Mr. Kussmann credit, again wishing that he were in attendance. He said Kussmann and him have not always seen eye to eye and there have been actually a couple of comments that will stick with him forever, there are` comments from Mr. Wilton (Fire Commission) that will also stick with him forever, but he can chuckle about them now. He stated that Roger K. has been on the Board for six (6) years, just to do it for two (2) is a commitment and that he (Roger K) has campaigned on the idea "someone has to ask the tough question". Spurrell continued by saying that we (The Board) have

not always agreed with his points or questions, but Roger does shine a different light on things. Spurrell pointed out that sometimes it has been difficult to have him on the Board, but also there have been times when it was comforting; referring to the role Kussmann took on during informational meetings held regarding the dissolving of the Village. Roger has taught him to ask the difficult question, there are some things that have to be asked. Spurrell had a plaque to present to Mr. Kussmann that read:

“ Roger Kussmann – Thank You

The community of Eagle gives thanks to Roger Kussmann for the dedication of his time and service as a trustee on the Village of Eagle Board. May Roger’s devotion to the Board and to the community be remembered without end.”

There being no further business, the meeting adjourned at 8:51 p.m. on a Thomas/Scheff motion. All in favor.

Respectfully submitted,

Shirley Mealy  
Village Clerk