

VILLAGE OF EAGLE REGULAR BOARD MEETING MINUTES

Approved

Call to Order/Open Meeting Law requirements:

R. Spurrell called the meeting to order at 7:00pm on May 14, 2015.

Roll Call:

G. Hein, J. Hoefakker, R. Spurrell, G. Scheff, P. Jones, L. Neuburg all present - one seat vacant

Pledge of Allegiance:

Pledge of Allegiance was led by R. Spurrell

Review/Approval of Minutes:

Motion to approve minutes for the Regular Board Meeting held April 9, 2015 made by L. Neuburg, seconded by G. Scheff, motion carried (4-0-2) J. Hoefakker and G. Hein abstained

Review/Approval of Treasurer's Report, including regular monthly account payable:

Board members reviewed the Treasurer's and accounts payable reports. L. Neuburg asked Clerk C. Zindars about a payment of interest on the DARE savings. C. Zindars verified accuracy. Motion made by L. Neuburg to approve Treasurer's and accounts payable reports. Seconded by G. Scheff. Motion carried (6-0)

Clerk's Report:

C. Zindars provided information on New Officials training to the Board members, explaining that S. Royston had brought the information into her office. C. Zindars continues with an update on the status of the new website and anticipates it to be up and running within the next 30- 60 days. She also informed the Board of the recent trainings she had attended and felt that the time spent out of the office was valuable as the training was informative.

Citizen Comments/Concerns:

B. Dingle, 116 South St – Inquired about the progress of the new Noise Ordinance.

R. Spurrell stated that it is top priority for the new Code and Ordinance Committee members.

B. Dingle also inquired about an extension regarding a notice he received from the Police Department.

R. Spurrell suggested he speak with Cpt. Lesniewski after the meeting.

B. Kane, 421 Meadow Ln – requests that the rumors regarding Chief Ehlers be addressed and asks whether the Chief will be on the payroll until 2017.

R. Spurrell explained that the Chief Ehlers is retiring and using his accumulated benefit time until his retirement date of August 18, 2015, but that he will not be on the payroll until 2017. He does state that there is a retirement agreement where the Village will be providing the Chief severance pay.

B. Kane asked whether research had been done recently to compare the cost of maintaining the Village PD vs switching to County patrols.

R. Spurrell explained that the study had been done in 2012, however, with Chief Ehlers retiring in August, the Board would need to review the future of the Police Department and explore all options to meet Village needs.

B. Koen asked if he could see the figures from 2012.

R. Spurrell said he would look for the notes from that meeting, yes.

B. Kane asked whether a potential new chief would have a lifetime contract

R. Spurrell stated that there were several possibilities that would need to be reviewed, including full-time and part-time. He further explained that contracts can vary, that there can be no contract, all options will need to be reviewed.

B. Kane asked what the cost will be and what will be included in a new contract, i.e. insurance, retirement, etc.

R. Spurrell explained that it is not possible to answer those questions at this time because none of those decisions have been made.

B. Kane asked what the procedure is for approval of a new contract.

R. Spurrell stated that a recommendation would come from the committee, which would then come to the Board for approval.

L. Fejnas, 103 Eagle St – discusses potential discrepancies in the minutes vs the dialogue at the Code & Ordinance meeting regarding decibel readings for the noise ordinance. She also stated that she believes that the guidelines on permits issued for outdoor events should more clearly outlined and inquired if officers will be available during these events to regulate noise. She stated that in the past she has had issues getting officers to respond in the past.

R. Spurrell stated that the issue should be taken up with the police department and that he anticipates that officers would be available to respond to calls.

L. Fejnas requested that a copy of the noise ordinance be available after approval because she would like a copy

S. Dooley of Knucklehead's Pub, 100 South St. – requested that when the committee drafts the noise ordinance, that it is fair to everyone. He stated that there are several events and activities in the Village that create noise, including events at the Village Park, and asks that they consider the needs of everyone in the Village to make it fair.

J. Frisch, 817 Sutton Dr – inquires about the status of the property on 426 E. Main St. and stated that something needed to be done soon.

R. Spurrell replied that he was unable to get a hold of the property owner, so has no update at this time. He also agreed that something needed to be done with the property.

S. Royston, 330 Appletree Ln – stated that she had made an open records request and obtained a copy of the Police Chief's retirement agreement. She urged that Board members to obtain a legal briefing to look into the costs of the contract. She gave various details of what she read in the agreement and was distracted by Chief Ehlers holding up his phone and appeared to be video recording her remarks. S. Royston requested that Chief Ehlers stop the recording and called on R. Spurrell to disallow the continuation of the videotaping.

R. Spurrell responded to the request by stating that he did not believe he could ban the recording, but that she could request that Chief Ehlers stop the recording.

S. Royston requested the Chief stop the recording, the Chief continued, S. Royston then continued with her comments. She stated that she believes the Village should look into the County patrolling the Village. She references item #17 on the agenda "Discussion regarding board member's expectations, goals, and ideas" and stated that she believes it should include citizen expectations as well and stated that she does not think there has been enough transparency between the board and citizens.

J. Steinhart, 523 E. Main St. – states that she believes there are issues with a septic system at one of the businesses on Main St and calls on the Village President to look into the issue. She states that she believes there has been an ongoing issue for years and asks whether there is favoritism toward the business owner.

R. Spurrell states that the Village he believes that Vince Budiac was involved with the inspection, along with the County when making sure it was up to code.

J. Steinhart stated that she thinks there should be a conditional use placed on the business requiring that the property owner pump regularly. She also references the 2012 presentation by Waukesha

County to patrol the Village and states that she doesn't believe that the board didn't look at the full scope of the cost to run the Village Police Department. She also stated that she wants to see another presentation made by Waukesha County so that the citizens of the Village can have an opportunity to hear the facts. She stated that she fears that there is favoritism on the board.

R. Spurrell stated that there is no favoritism and asks that they talk about examples of what she considers favoritism. He also states that when the committee looks at the needs of the Village Police Department, that there may be a desire to have a presentation, but that is something that the board will need to make a decision on, as they did last year when the issue was brought up and the decision was made not to have a County presentation.

B. Koen asked whether the Police Chief is being compensated until 2017

R. Spurrell stated that, S. Royston's comments regarding the retirement agreement are correct; the Chief will receive severance payments until the end of 2016 as the agreement states.

B. Dingle requests that the board take serious consideration when approving the outside music events and consider all citizens of the Village.

S. Dooley brings up the topic of decibel levels.

R. Spurrell stated that the board will not hear a debate on decibel levels at this time.

Announcements:

Chief Presiding Officer: R. Spurrell welcomes the new board members and reminds the members of the Joint Special Board meeting being held May 28th at 7pm regarding the fire department consolidation.

Board Members: G. Scheff stated that there will be a Veteran's Memorial dedication at the Eagle Historical Society on June 6th at 1pm. Information regarding the event will be posted on the Village, Town, Library, and Historical Society's websites. L. Neuburg gives a reminder of the Plant Exchange held at the Eagle Historical Society this Saturday, May 23rd from 10am-2pm

Police Dept. Representative: Captain Lesniewski stated that J. Frisch was working on getting information regarding repairs to the PD Garage. He also stated that G. Bruckner is out on medical leave and he hopes to work through scheduling issues to maintain coverage.

Fire Dept Representative: none

Consideration/Action regarding appointment of vacant Village Trustee position: R. Spurrell explains that because the write-in position was won by G. Scheff, he has declined the one-year term position, so R. Spurrell chose to appoint the individual who received the next highest number of votes, pending board approval, J. Frisch to the vacant one-year trustee position. Motion made by L. Neuburg to appoint J. Frisch to the one-year trustee position. Seconded by P. Jones. Motion carried (5-0-1) with R. Spurrell abstaining. C. Zindars swears J. Frisch into office by issuing the Oath of Office.

Consideration/Action regarding official newspaper for publishing for the Village of Eagle: Motion made by L. Neuburg to continue using the Mukwonago Chief as the official newspaper for publishing. Seconded by P. Jones. G. Hein asks what the other options are. R. Spurrell listed other options as the Palmyra Enterprise or possibly the Waukesha Freeman. Motion carried (7-0)

Consideration/Action regarding posting locations for the Village of Eagle: Motion made by G. Scheff to approve the existing three posting locations for the Post Office, front window of the Village door of the municipal building, and the display case at Chapman's BP. Seconded by G. Hein. Motion carried (7-0)

Consideration/Action regarding Scott Dooley's request to hold an outdoor music event Labor Day weekend: S. Dooley stated that the event would be held September 5th & 6th. Saturday the 5th would

have outdoor music until midnight and Sunday the 6th would have outdoor music until 11pm. He stated that this would be the fourth year in a row that he's held the event in the outdoor beer garden. He explained that there will be no changes from previous years and that they have always abided by the times provided. R. Spurrell asked about the acoustic foam that was to be put up in the outdoor area per discussion at the code and ordinance meeting. S. Dooley stated that it would be up before the Labor Day event to help minimize noise. P. Jones asks whether the noise ordinance will be in effect prior to the event. R. Spurrell stated that he anticipated that it would. G. Hein asked for clarification of times, etc for the event and thought that outdoor music until midnight seemed late. S. Dooley responded that there are multiple events in the Village that have outdoor events that produce noise and doesn't see his event as being any different. G. Hein continued stating his concerns regarding the late hour. L. Neuburg clarified what the noise ordinance was trying to regulate as far as the measurement of the decibel levels and explains that the noise ordinance verbiage is pretty well set; they are just trying to set the decibel limits. She also explained that even if there is outdoor music, as long as it wasn't above the stated decibel level, it would not be in violation of the noise ordinance. Discussion regarding the noise ordinance and other noise producing events in the Village continued between board members. R. Spurrell explained that the noise ordinance should be something that takes the subjectivity out of the argument. S. Dooley outlined multiple events that cause noise within the Village, i.e. events at the park, volleyball, horseshoes, weddings, soccer games, back-yard campfires, etc. Motion to approve Dooley's request for outdoor music events at Knucklehead's Pub on September 5th until midnight and September 6th until 11pm made by L. Neuburg. Seconded by G. Scheff. Motion carried (7-0). R. Spurrell addressed S. Dooley and said that the noise ordinance, once passed, may change some things for this event.

Consideration/Action regarding Magnan Assessments, LLC Contract – Annual Review: Motion made by L. Neuburg to approve contract with Magnan Assessments, LLC. Seconded by Greg Scheff. Discussion amongst board members regarding the services Magnan Assessments provides for the Village. J. Hoeffaker asked if anyone else would be considered. R. Spurrell explained that the board could look at other assessor; however, Cal Magnan covers much of the surrounding area, making him familiar with the area. Motion carried (7-0)

Consideration/Action regarding changing the baseball field at the Village Park to a softball field: R. Spurrell explains that the request was made to change the diamond because hardball was no longer played on the field and there was a desire for community members to potentially hold softball games on the field. He stated that DPW Superintendent, S. Deegan had estimated the cost of the change to be \$700. General discussion was held between board members regarding the changes that would be made, whether the change would affect any other residents who may use the field, and whether there were funds in the budget for the change. Motion made by G. Scheff to approve the change of the baseball field to a softball field, providing a spending limit on the project of \$1,000. Seconded by L. Neuburg. Motion carried (7-0)

Consideration/Action regarding house at 426 Main St: G. Scheff stated that Building Inspector, V. Budiac has been attempting to contact the property owner with no response and inquired as to what options the Village may have to take action – one issue being the long grass – he suggested that DPW Superintendent, S. Deegan may need to cut and charge for lawn cutting. R. Spurrell suggested a potential referral to the Village Police Department for nuisance enforcement. G. Hein inquired as to why the project was taking so long. R. Spurrell explained that a historic overlay needed to be done initially, which took some time, however, the property owner has failed to show up at Planning Commission meeting, or provide a Certified Survey Map to the Village. J. Hoefakker stated several

safety concerns with the property. Motion made by L. Neuburg to send a certified letter to the property owner to provide a plan to the Village. Seconded by G. Hein. Motion carried (7-0)

Consideration/Action regarding approval of the Intergovernmental Agreement between Waukesha County and Participating Municipalities within Waukesha County to Purchase New Election Equipment and Software and Consideration/Action regarding Resolution No. 2015-02 A Resolution to Petition that Waukesha County pay the full cost of its Election Equipment Update Program: Clerk, C. Zindars explains Waukesha County's plan to switch all of the municipalities in the county to the same, new equipment. Costs breakdowns provided by the County were provided to board members. The agreement presented by the County proposed a 2/3 county, 1/3 municipality cost split for the equipments. C. Zindars explained that a Resolution had also been drafted for municipalities to petition the County Board to pay the full cost of the equipment. C. Zindars explained that if municipalities did not participate in the County's proposal at this time, then the municipality would be obligated to pay to full cost of the new equipment. Motion made by G. Scheff to approve Resolution No. 2015.02 A Resolution to Petition that Waukesha County pay the full cost of its Election Equipment Update Program. Seconded by J. Hoefakker. Motion carried (7-0). Motion made by G. Hein to approve the Intergovernmental Agreement between Waukesha County and Participating Municipalities within Waukesha County to Purchase New Election Equipment and Software, pending the County Board's decision on financing. Seconded by G. Scheff. Motion carried (7-0).

Discussion regarding board member's expectations, goals and ideas: R. Spurrell stated that he would like to see more diligence by the committees meeting monthly and opens discussion to board members. J. Frisch stated that he thinks the most important thing to focus on is listening to fellow citizens in the community and paying attention to what is important to them. G. Hein agrees that public input is very important and appreciates residents attending/participating in meetings. J. Hoefakker included that each Trustee had taken an oath to uphold the Constitution of the United States and the State Constitution, which should be the most important, but agrees that listen to fellow residents and receiving public input is very important. L. Neuburg provided a short Nature Trail update of a walk coming up and a new sign to be erected.

Consideration/Action for 2015 appointments: R. Spurrell stated that the board had previously appointed G. Bruckner as the Police Representative for the Code and Ordinance committee, however, due to her injury; Captain S. Lesniewski would take her place as alternate.

- a. **Village Attorney:** Mark Blum – Hippenmeyer, Reilly, Moodie and Blum
- b. **Village Engineer:** Ruekert-Mielke
- c. **Village Assessor:** Magnan Assessments, LLC
- d. **Building Inspector:** Wisconsin Building Inspections LLP – Vince Budiac
- e. **Village Clerk/Treasurer:** Cheri Zindars
- f. **Village Deputy Clerk/Deputy Treasurer:** Bethany Hoefakker (not an appointed position)
- g. **Emergency Management Director:** Rich Spurrell
- h. **Committees**
 - a. **Code & Ordinance:** Jim Frisch(Chairman), Lyne Neuburg, Peter Jones, Sgt. Bruckner (alt. Cpt. Lesniewski
 - b. **Fire & Building:** Rich Spurrell, Jeff Steinbach
 - c. **Library:** Greg Hein
 - d. **Nature Trail:** Jon Hoefakker
 - e. **Eagle Recreation Department:** Peter Jones
 - f. **Personnel & Finance:** Rich Spurrell(Chairman), Lyne Neuburg, Greg Hein, Cpt. Lesniewski

- g. Police & Licensing:** Lyne Neuburg(Chairman), Greg Hein, Greg Scheff
- h. Planning Commission:** Rich Spurrell, Greg Scheff, Peter Jones, Mark Schoessow, Larry Wilkinson, Gary Payne, Steve Deegan
- i. Public Works & Property:** Greg Scheff, Jon Hoefakker, Jim Frisch

Motion made by G. Scheff to approve committee appointments. Seconded by P. Jones. Motion carried (6-0-1) R. Spurrell abstained.

Adjournment: Motion to adjourn made by P. Jones. Seconded by G. Scheff. Motion carried (7-0).
Meeting adjourned at 8:26pm