

VILLAGE OF EAGLE
UNAPPROVED REGULAR BOARD MEETING MINUTES
June 13, 2013

The Village Board meeting was called to order by President Spurrell on June 13, 2013 at 7:00 p.m. Open meeting law requirements were confirmed as having been met. Roll Call: Trustees Neuburg, Schoessow, Degenhardt, Jones, Scheff, Rice, and President Rich Spurrell.

The pledge was led by Mark Schoessow.

Review/Approval of Minutes – (Regular-May 9, 2013)

Motion: Moved by Trustee Rice, seconded by Trustee Jones, to approve the Minutes of the May 9, 2013 meeting. The motion carried 6-0-1 (Degenhardt abstained)..

Consideration of Treasurer’s Report, including regular monthly accounts payable.

There are questions as to the budget comparison papers. The Board asked that they be advised why under Police Department fees, \$22,000 is reflected. Benefits were also questioned by President Spurrell. Water interest should not be reflected under interest income. There is a question as to what interest is being reflected. Clarification is needed as to what All Traffic Solutions and Chief Supply expenses were for.

Clerk’s Report

Clerk O’Brien reported that the Treasurer will be out until June 25th. All liquor licenses were received this year in a timely manner, which is appreciated. The Board of Review is complete, with no objections being heard. Manufacturing numbers have been received, and the Statement of Assessment has been filed with the State. The State is considering what is referred to as the Omnibus Bill, and there may be concern if it is approved, that the referendum we intend to hold could have been compromised; however, the vote on the bill did not occur, so there should be no issue at this time.

Citizen Comments/Concerns

Kelly Anderson, 408 Elkhorn Rd., stated that the grass is knee high at the dental office. There is also concern about the property on Tenderfoot Trl and Markham. The Clerk will check into these properties.

Jill Steinhart, 523 Main St., asked how the \$1,000 for the Police Station architect would ever be refunded. She understands this is federal money and she doesn’t believe it can be spent this way. President Spurrell clarified that the \$1,000 for the architect came from Impact Fees, not from the federal government. If the referendum fails, the fee is refundable to the Village. The ad hoc committee did not authorize this expenditure, the Village Board authorized it. Ms. Steinhart asked if the architect is then on a retainer? President Spurrell stated that yes, if the project goes over \$25,000, then it must be bid out. As the cost has not yet been determined, this question cannot be answered.

Alli Chase and Tracy Baumann were present. Alli stated that the EBA is looking for downtown beautification. This will be discussed later in the meeting.

Sharon Royston, 330 Appletree Ln., asked if the third Police Squad Car was sold, and if so, is it reflected in the budget?

Announcements:

President Spurrell stated that Kettle Moraine Days is coming. Please try to attend.

Lyne Neuburg stated that with respect to the Nature Trail, Jean Weedman received a grant for seed. Many children and Americore pulled garlic mustard from the area. The burn proposed will not occur any more this year, as conditions were not right to do so. Please show your appreciation for the trail to Jean Weedman.

Katy Degenhardt stated that she has received complaints that the trees along Markham need to be trimmed on the east side over the sidewalk area.

Chief Ehlers then announced that the Police Dept responded to 309 calls for service and presented his report. The police will have a more centralized booth at KM Days this year.

Presentation by ICompass on ipads/agenda preparation

Scott Nuefeld of ICompass and his partner, Steve, were present. Scott gave a short overview of their agenda system. The Trustees then were offered the ipads to look at and review. The ipads are read only, but items can be written in, highlighted, underlined, sticky notes applied, etc. There is a FilePro system wherein documents (attachments to agendas) can be reviewed in real time, as website access is allowed. They utilize IOS through the app store. These ipads never crash.

(Trustee Neuburg departed at 7:35 p.m. for an emergency)

The cost of such a program for set up and installation, plus training is \$5,000 the first year, then their fee is \$2,000 each year. This averages to \$167/mo. The cost is generally recovered in 7-9 months, with the reduction of printing and paper costs.

Consideration/action-Operator's license requests per attached list for 2013-14 year for all Village of Eagle establishments licensed to serve

The Board reviewed the license applications which were approved by the Eagle Police Department. Susan Scheff has not yet provided the application for processing.

Motion: Moved by Trustee Rice, seconded by Trustee Degenhardt, to approve the Operator's license requests per the attached list for the 2013-14 year for all Village of Eagle establishments licensed to serve, dated 6-13-13. The motion carried 6-0.

Consideration/action- renewal of licenses for the following:

PLEASE TAKE NOTICE that Melissa Dooley, on behalf of Dooley Enterprises, LLC, has filed an application in the Clerk's office for a Class B Fermented Malt Beverage and a Class B Intoxicating Liquor License and Non-Intoxicating Beverage License for the premises at 105 W. Main Street, known as Coyote Canyon, that includes a restaurant, bar, and outside back dining area that is fenced in, small patio fenced in front, and garage.

PLEASE TAKE NOTICE that Melissa Dooley, on behalf of Stueber Enterprises, Inc., has filed an application in the Clerk's office for a Class B Fermented Malt Beverage and a Class B Intoxicating Liquor License and Non-Intoxicating Beverage License for the premises at 100 South Street, known as Knucklehead Pub & Eatery, that includes a restaurant, bar, deck, basement, and lot.

PLEASE TAKE NOTICE that Malinda Kenney, on behalf of Eagle BP, has filed an application in the Clerk's office for a Class A Beer and a Class A Intoxicating Liquor License, Cigarette License, and Non-Intoxicating Beverage License for premises at the 101 South Street, known as Tasty Z's Grab N Go, LLC, including the convenience store, cooler, and storage rooms.

PLEASE TAKE NOTICE that Bruce Hanke, on behalf of The Kettle-Citgo, has filed an application in the Clerk's office for a Class A Intoxicating Liquor and Class A Fermented Malt Beverage License, Cigarette License, and Non-Intoxicating Beverage License for the premises at 214 Grove Street, known as The Kettle of Eagle, LLC, which includes the cooler and store shelving.

PLEASE TAKE NOTICE that Janis Suhm, on behalf of Big Red's Enterprise LLC, has filed an application in the Clerk's office for a Class B Intoxicating Liquor and Class B Fermented Malt Beverage License and Non-Intoxicating Beverage License for premises at 201 Kettle Moraine Drive, known as Suhmer's Saloon and Restaurant, which includes the saloon 1st floor, outside walkway, restaurant – 2nd floor, outside cement porch, southwest parking lot (see scheduled dates). (On file at the Clerk's Office)

Trustee Rice wanted it noted in the record that the application for Knuckleheads was approved in error a few years ago allowing for the lot to be included in that license. He wants it noted that it is understood that was done in error. He asked that the application of Suhm be set aside for further discussion. He also noted that the lot is part of the road right-of-way. When a new applicant seeks a license, it will need to be noted that the error must be corrected and the lot not be made part of the liquor license application.

Motion: Moved by Trustee Rice, seconded by Trustee Scheff, to approve the application for licenses from Coyote Canyon, Knucklehead Pub & Eatery, Tasty Z's Grab N Go, and the Kettle of Eagle, as requested. Motion carried unanimously, 6-0.

The Suhmer's Saloon application was then reviewed. Trustee Rice stated that the parking lot is listed for the scheduled dates of 7/27/13, 8/10/13, and 8/31/13 only.

Motion: Moved by Trustee Rice, seconded by Trustee Jones, to approve the application for licenses from Suhmer's Saloon, as presented. The motion carried unanimously.

Consideration of Soda License for the Hen House Café, 110 Waukesha Road

Motion: Moved by Trustee Rice, seconded by Trustee Degenhardt, to approve the Soda License for the Hen House Café. The motion carried unanimously.

Consideration/action-request of three special events to be held by Suhmer's: Countryfest on July 27, 2013, Bluesfest on August 10, 2013, and an event on Labor Day weekend, August 31, 2013 which events will use the southwest parking lot

President Spurrell stated that the Board did cover this line item when approving the Application for Licenses (as stated above). No further action was taken.

Discussion/Consideration - request of Knucklehead's request for a band performance on the outdoor patio from 7-11pm on August 31, 2013

Melissa Dooley was present on behalf of Knuckleheads. Trustee Degenhardt stated that this establishment is in a residential area. Mrs. Dooley stated that this is the weekend of Harley Fest, and they are seeking consideration to have a band play on the deck from 7-11 p.m. President Spurrell confirmed with Mrs. Dooley that typically, the band would be out on the deck until 9p.m. Mrs. Dooley stated yes.

Trustee Rice asked if the applicant has notified any of the neighbors? Trustee Degenhardt asked if they have talked to the neighbors about a band being so late? Mrs. Dooley stated no, and the two immediate neighbors are okay with what is being proposed. There will be an acoustic band, no sound system, and their fence blocks off any noise. In the summer time, there have been no concerns expressed.

Trustee Rice stated he is concerned with the type of band and how often it will occur. It might be acoustic this time, but he is more concerned about the next time. Mrs. Dooley stated that it is not the intent to do this all of the time. This is a one-time special event. Trustee Rice stated his concern that once the door is open with an approval, it cannot be undone. We can't say okay this time, and not next year should it come up again. No input was received from the neighbors.

Mrs. Dooley asked if she could get approval from the neighbors and bring the request back to the Board? Trustee Rice stated he wouldn't know that.

Alli Chase, present in the audience, stated that she never hears the music from this establishment, and she lives right there.

Motion: Moved by Trustee Scheff, seconded by Trustee Schoessow, to approve the request of Knuckleheads for a band performance on the outdoor patio from 7-11 p.m. on August 31, 2013.

Trustee Rice again stated his concern by opening the door. We did the same thing by mistake with the license previously. I have no input from neighbors; the fact that it is right there in that area. The other is in the general road area. We must think it through.

Motion: Moved by President Spurrell, seconded by Trustee Scheff, to amend the previous motion to include that the approval is a single approval, and it does not set any precedent, and there is no guarantee it will happen again because of the one time approval. The vote was taken, with a total of 4-2, Rice and Jones voting nay.

Motion: Moved by President Spurrell, seconded by Trustee Scheff, to approve the request for a one time approval, not setting precedence, for a band to play at Knuckleheads until 11 p.m. on August 31, 2013. The vote was taken and failed, 3-3, with Degenhardt, Jones and Rice voting nay.

Mrs. Dooley asked if she had any options and was told with different information, the request could be placed on the next agenda. Trustee Rice stated the Board will entertain anything new. Mrs. Dooley pointed out that the music usually goes until 9 p.m. regularly. The hours could be 6-10p.m. President Spurrell stated that the 6-10p.m. would be a different request. It was suggested that support by the neighbors in the area might make a difference. Trustee Degenhardt stated that the Board does not know how loud it is going to be. Mrs. Dooley pointed out that the Board just approved the 8/31 date for the establishment across the street. Trustee Rice stated he agrees with the other request (of Suhmers), as the area faces the main roadway, Hwy 67/59, and this request is for an establishment which faces a residential area to the back. He feels it is completely different. President Spurrell stated that it might be beneficial for Mrs. Dooley to talk one on one with the Board members not in favor of the request.

Fire Commission Update. President Spurrell stated this was a routine meeting, with no significant items or actions. There were no comments from Chief Heim.

Library Director's report. Alli Chase commended Maria Hinnens on being selected from the Wisconsin Youth Services Institute out of 50 candidates. Alli herself was chosen for her program proposal for the WLA 2013 Conference in Green Bay. It is called "Building Relationships-A Recipe for Success", on October 23, 2013.

The summer reading program has begun. She presented board members with a brochure regarding the happenings at the Library. She also mentioned that the Board Members should be in receipt of a Waukesha County Economic Development brochure which was emailed previously, to be held June 26th. She is hopeful some board members can attend. A July 3 event is slated for Social Media, which runs from 7:45 to 9 p.m. All are invited to attend. This will cover Pentertest and LinkedIn.

Report from EBA regarding a Village of Eagle beautification strategic plan. Tracy Baumann and Alli Chase were present. Tracy stated the EBA has a goal of beautifying downtown Eagle. The UW Extension office, coordinated through UW Madison, offers a senior architect student to prepare a plan for such beautification. The project plan is free, with minimal expense for driving, etc., which costs will be paid by the EBA. The student listens and then creates a plan based on comments by the residents/community. The question was asked

if there would be someone interested from the Village Board to be able to be part of this process. The application must still be completed. Feedback is important. Hearing no volunteers, the Village President stated he would participate and that Monday or Thursday are better nights for him to meet. Alli stated that this aligns with the Smart Growth Plan as well. She would like to see more people stop and stay in the Village.

Discussion/Consideration of an ad-hoc committee for the EBA downtown beautification project. It was determined that there would not be a need for an ad-hoc committee as there will be a Village Board liaison.

Discussion/Consideration of adjusting the Village of Eagle's insurance policy to increase the coverage for water pump buildings and the water tower. President Spurrell stated that this would result in an increase of approximately \$20 in premiums for the year. He gave some background as to review of the policy indicates the tower insured for a lower amount than the cost to construct a new tower, should something occur.

Motion: Moved by Trustee Degenhardt, seconded by Trustee Scheff, to increase the water tower value of insurance to \$600,000, at a cost of approximately \$20 increase in premium per year, with the Clerk to contact the insurance company. The motion carried unanimously.

Discussion/Consideration for Resolution 2013-01, A Resolution for the Village of Eagle's Endorsement of the Year 2035 Regional Housing Plan for Southeastern Wisconsin

President Spurrell stated that the Village typically does follow the SEWRPC recommendation. Trustee Rice stated he read the proposed document. He reminded the Board that the Smart Growth Plan was finished about three years ago, and then approved by the County. This plan allows for low income subsidized housing to be placed where SEWRPC wants, not necessarily where the Village would allow for it. It appears by the document that the whole purpose for implementation of the plan is to provide decent and affordable housing. The vision for the project may not be what the Village wants to see happen. The plan appears to promote low income housing, loosened zoning laws, and control of the Plan Commission. SEWRPC may be able to tell the Village where to put housing of this nature. The document clearly states that un-sewered areas should not be excluded.

President Spurrell stated he did not think Trustee Rice's interpretation is the intent of SEWRPC, but he will take some time to review the 900 page document.

Motion: Moved by President Spurrell, seconded by Trustee Degenhardt, to table the Resolution for the Village of Eagle's Endorsement of the Year 2035 Regional Housing Plan for Southeastern Wisconsin until further review by the Village President. The motion carried unanimously.

Discussion/Consideration – Request of Village Clerk to attend the WMCA Annual Conference to be held in Milwaukee, August 21-23

Discussion ensued as to the Clerk attending this conference. As there is a new Omnibus Bill being considered, and more changes to the election laws, the Board accepted the request of the Clerk to attend.

Motion: Moved by Trustee Rice, seconded by Trustee Scheff, to allow the Village Clerk to attend the WMCA Annual Conference to be held in Milwaukee, August 21-23. The motion carried unanimously.

Discussion/Consideration to contract with Mailcom for water utility quarterly billings

The Clerk presented some figures for staff time involved for printing, folding, stuffing, postage, etc. This service offers the printing, envelopes, folding, stuffing, postage, etc., all at a cost of .59 per utility bill. If additional inserts are needed, a case by case analysis is done to determine the costs involved. The cost to insert would be .02 per additional page if the insert will go in with the water bill. There are cost savings to this process. A copy of the utility bill printout was presented to the Board. There is the capability of having a bar code scanner read the bar code and automatically update the Workhorse Software when receipting, as well.

Motion: Moved by Trustee Rice, seconded by Trustee Jones, to utilize MailCom for quarterly water utility bills for a one year trial period. The motion carried unanimously.

Discussion/Consideration for a scanning pen for Workhorse water utility software

As outlined above, a scanning pen would be needed to receipt the tax bills into the Workhorse Software.

Motion: Moved by Trustee Schoessow, seconded by Trustee Scheff, to approve the purchase of the scanning pens for the Workhorse water utility software. The motion carried unanimously.

Discussion/Consideration of contract with John's disposal service

President Spurrell stated that this is a new John's Disposal contract. Page 1, section 4 was changed for the years 2013-2017, specifying the cost of living increase, which cannot be denied.

He also was in receipt of information as to single stream recycling. This does not really affect the Village, as we do not separate each recyclable.

Motion: Moved by Trustee Scheff, seconded by Trustee Schoessow, to approve the recent contract presented by John's Disposal for the years 2013-2017, with the presented language change as outlined above. The motion carried unanimously.

Committee Reports/Action Items: (Information on discussion and action taken at previous meeting(s), future agenda items and upcoming scheduled meeting(s))

Code & Ordinance/Action Items:

1. Update on meeting
2. Discussion/Consideration regarding Ordinance 211 to amend chapter 14 Licenses and Permits

3. Discussion/Consideration regarding Resolution 2013-02 to set the Village of Eagle Fee Schedule
4. Discussion regarding Knox Boxes and Knox Box requirements per the Village of Eagle ordinances

Trustee Rice stated that the last meeting was actually held in March and due to some health issues, the next meeting is scheduled in June. The committee did make changes to Ordinance 211 to amend Chapter 14, Licenses and Permits. They also set a Fee Schedule.

Motion: Moved by President Spurrell, seconded by Trustee Degenhardt, to adopt Ordinance 211, An Ordinance to Amend Chapter 14, Licenses and Permits, as presented. The motion carried unanimously.

Motion: Moved by Trustee Degenhardt, seconded by Trustee Scheff, to approve Resolution 2013-01, a Resolution to Establish the Village of Eagle Fee Schedule. The motion carried unanimously.

As to Knox Box requirements, Trustee Rice asked the Fire Chief, Justin Heim, to take the floor and explain the purpose and benefits of this Ordinance item.

Chief Heim stated that the use of this box will allow for the fire department to have a master key to access the building or structure without have to damage the building further. This Ordinance has been on the books for quite some time. Every commercial business at this time is inspected two times per year. The NFPA states the Fire Department must enforce the Life Safety Code. This gives the fire department the ability to enforce the installation and use of Knox Boxes on each commercial building, which includes any apartment building housing at least three apartments. When access is needed, there is a tracking system to determine who was in possession of the key and at what time. At this point, commercial properties were notified of this requirement and had been asked to comply. Now, when the property is inspected, it will be written up as a violation if the knox box has not been installed. The owner then has 30 days to correct the violation. There is an issue with respect to the Police Department, in that a chain of custody must be maintained to preserve any evidence collected, and the Police Chief is not in favor of such a knox box. The Police Chief does not feel this should be made compulsory to supply a key to private property. He would rather see a smashed door. The boxes have been accessed and burglarized as well. They are not full-proof and he is not in favor of compelling a business owner to give someone access to the key.

Chief Heim stated that even if the Ordinance on the books is rescinded, he has the right as the Fire Chief, under NFPA 13.2.2.1 to enforce this requirement and subject violations to penalties and forfeitures as outlined, either by the Village or the State, depending on whom the managing entity would be. It is his job to enforce the Life Safety Code.

Trustee Rice thanked Chief Heim for his time.

Public Works & Property

1. Update on street repairs

President Spurrell stated that South St. will be topcoated this summer, and crack filling will occur later in the year. Clerk O'Brien was asked to supply Steve Deegan with the proposed schedule of road work to be completed.

Police & Licensing

Trustee Degenhardt stated there was no meeting held this month. The next meeting will be on 7/1/13.

Discussion/Consideration of resolution 2013-03 to hold an advisory referendum regarding the PD Station

President Spurrell stated that the Village Attorney did draft the Resolution, which he then read into the record. This is an advisory referendum.

Motion: Moved by Trustee Degenhardt, seconded by Trustee Scheff, to approve Resolution 2013-02, A Resolution to Hold an Advisory Referendum Regarding the Police Station. The motion carried unanimously.

Discussion/Consideration of hiring part time police officer(s)

Chief Ehlers stated that with the loss of Officer Bishop, the resignations of Duffy and Resch, the department is short handed. There were five individuals interviewed, one of whom was unemployable, one of whom rescinded based on his desire to be full-time elsewhere, with only one passing the background check. The individual being suggested is Matthew Meinel. He lives in Jefferson.

Motion: Moved by Trustee Degenhardt, seconded by Trustee Scheff, to approve the hire of a part time police officer, Matthew Meinel, as a Village part-time police officer, to provide police resources. The motion carried 6-0.

Personnel and Finance

President Spurrell stated that the P&F discussed the draft Board Member Welcome packet, evaluation form revisions, and the preliminary budget. He asked that department heads consider their 2014 budgets as well.

Park & Recreation Committee

Trustee Jones stated that there was discussion about getting organized for Kettle Moraine Days. They are still seeking volunteers at the booth.

Adjournment

Motion: Moved by Trustee Degenhardt, seconded by Trustee Jones, to adjourn the meeting at 9:15 p.m. The motion carried unanimously.

Respectfully submitted, Jeanne O'Brien, Clerk