

VILLAGE OF EAGLE
APPROVED REGULAR BOARD MEETING MINUTES
September 12, 2013

The Village Board meeting was called to order by President Spurrell on September 12, 2013 at 7:00 p.m. Open meeting law requirements were confirmed as having been met. Roll Call: Trustees Neuburg, Schoessow, Jones, Rice, and President Rich Spurrell. Absent were Katy Degenhardt and Greg Scheff (excused). Also present were Treasurer, Darlene Sterzinger, Police Chief Ehlers, and several residents.

The pledge was led by Rich Spurrell.

Review/Approval of Minutes – (Regular-August 8, 2013, Special-July 15, 2013, and Special Joint August 20, 2013)

Motion: Moved by Trustee Rice, seconded by Trustee Schoessow, to approve the Minutes of the August 8, 2013 meeting. The motion carried 5-0.

Motion: Moved by President Spurrell, seconded by Trustee Rice, to table the approval of the Minutes of the Special July 15, 2013 meeting.

Discussion ensued. The following motion was then made.

Motion: Moved by President Spurrell, seconded by Trustee Rice, to withdraw the previous motion. The motion carried unanimously.

Motion: Moved by Trustee Rice, seconded by Trustee Jones, to approve the Minutes of the Special meeting held July 15, 2013. The motion carried 4-0-1 (Spurrell abstained).

Motion: Moved by Trustee Rice, seconded by Trustee Jones, to approve the Special Joint Meeting Minutes of August 20, 2013. The motion carried 3-0-2 (Neuburg and Schoessow abstained).

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

Discussion over revenue, actual year to date totals, state aid, and the smart growth grant were reviewed.

Motion: Moved by Trustee Rice, seconded by Trustee Neuburg, to approve the Treasurer's Report and Accounts Payable, as presented. The motion carried unanimously.

Clerk's Report

Clerk O'Brien reported that the referendum went well, with 255 electors participating, Question 1 receiving 92 yes votes, 161 no votes, Question 2 receiving 16 yes votes, 234 no votes, and Question 3 receiving 87 yes votes and 166 no votes.

The Village Office has received two calls from architects in interest of doing an RFP for the proposed police station. Both were informed that there was an architect for the project on retainer.

There may be a need for the Village to notify all employees of the ACA information provided by the Federal Government. This will be looked into with the State of Wisconsin.

Citizen Comments/Concerns

Sharon Royston, 330 Appletree Ln., stated that the residents did not approve of the Police Station and asked that the Board stop all action. She also requested the Board request the \$1000 retainer back from the architect. She also stated a concern of the language on the Police & Licensing agenda as it relates to citizens comments, wherein the language allows that committee to "retract". Also, there should not be a need for an open records request for a document discussed at an open meeting. Copies should be made available to the public.

Barb Russell, 813 Andover Dr., stated she hoped the Board would look at the results of the Referendum and go along with tabling any proposed expansion, with no new buildings being considered. The Board should take a serious look at where we can continue to support and encourage addressing Waukesha County Sheriff covering the Village of Eagle, as there is not 24 hour coverage now. We already pay taxes to support Waukesha County. Presentations by Waukesha County should be done to help in making decisions down the road.

Joel Jurkowski, 810 Melbourne Rd., stated that the referendum should have been held with a regular election. He does not want to see more money and time spent for this consideration. Waukesha County should be considered, by contract or just coverage.

Jill Steinhart, 523 E. Main St., asked that the Board see what the Village people really want. She believes the numbers are coming from out of the air.

President Spurrell stated that Sheriff Trawicki provided the numbers directly.

Ms. Steinhart then stated that there was an article in the paper telling people how to vote. Why doesn't the Police Department create a business model if there is no intent to go with the County? Costs have to be reduced.

She also questioned the use of the Village credit card. Are bills itemized? Darlene Sterzinger, Village Treasurer, explained the process, and yes, the bills are itemized for each card holder, with receipts to verify the purchase.

Ray Russell, 813 Andover Dr., asked how can a person obtain ad hoc committee minutes. He only received one agenda for the first meeting. What does it take? He made the request, but didn't get much. He also stated that after the referendum, he asked that discussion of a new Police Station be ended. When people speak, government should listen.

Jill Steinhart also added that when the District Attorney wrote the letter a while back about how illegal the ad hoc committee was, she wants the Board to at least ask for the \$1000 architect

fee back. She was also opposed to the fact that the Police Department sent out a paper to selected residents, with no committee review.

President Spurrell stated that as a resident, a person can do what they want. The \$1000 retainer will be discussed. He also stated that he also is not in favor of being fined (as it related to the District Attorney's letter). He was criticized for bringing it up at a Board meeting. He is not aware of any work done by the architect. If and when the money comes back, it will need to go back to the residents at the end of the year.

Bill Thiele, 414 Kettle Moraine Dr., stated that it is not the right time to invest in a Police Department. He does not approve of the location. He asked that the matter be tabled until the project is thought out more. The referendum outcome said no, and he asked the Board abide by that.

Announcements:

President Spurrell stated that he lost a piece of correspondence, which was a thank you from the Hanson family for the flower arrangement for his wife's mother. He also read a thank you for the floral arrangement from the Bishop family.

Russ Ehlers thanked the voters who came out to vote on the referendum. Their voices were heard. He presented the Board with the year to date incident report and gave statistics.

Plan Commission

Consideration/action regarding request of Dan Kazmierski, 419 Kettle Moraine Dr., for arch style building

Mrs. Kazmierski was present in the audience. President Spurrell stated that this request came before the Plan Commission, and the Plan Commission recommends approval. There was also discussion as to an access drive to Murphy Drive, as well as the building style, however, he failed to include that as part of this agenda item.

Motion: Moved by Trustee Rice, seconded by Trustee Neuburg, to approve the requested arch style building presented and recommended by the Plan Commission for Dan Kazmierski, 419 Kettle Moraine Dr. The motion carried unanimously.

Presentation by Leslie Kiehl of Wildlife in Need with respect to distemper problems in the area

Ms. Kiehl stated that she was at the meeting on behalf of the Wildlife in Need Center, which is located in Ottawa. She is the education coordinator there, and is an Eagle resident. She gave some background as to what the facility offers, and discussed the concern for distemper. Most distemper comes from dogs and cats, and she encourages vaccinations. The most distemper in Wisconsin though comes from bats. It is important to keep pets away from animals that are normally out at night, but appear out during the day. She also brought with her the WINC mascot, Dakota. She gave some background as to Dakota's way to the Center, and shared his story of being taken and rehabilitation.

Consideration/action-Resolution 2013-03, A Resolution Exempting the Village from the Waukesha County Library Levy for 2013 Tax for 2014 Purposes

President Spurrell stated this item was discussed at the joint meeting with the Town, and the recommendation is to approve the resolution.

Motion: Moved by Trustee Rice, seconded by Trustee Schoessow, to approve Resolution 2013-03, A Resolution Exempting the Village from the Waukesha County Library Levy for 2013 Tax for 2014 Purposes. The motion carried unanimously.

Consideration/action-Operator's license requests:

- a. Amanda M. Hanus, serving at Knucklehead
- b. Elizabeth A. Frantl, serving at Coyote Canyon and Knucklehead
- c. BreeAnne M. Mihok, serving at Tasty Z's
- d. Christine A. Hughes, serving at St. Theresa's
- e. Shari A McGuire, serving at Tasty Z's
- f. Tammy S. Thompson, serving at Tasty Z's

The Board reviewed the license applications which were approved by the Eagle Police Department. Clerk O'Brien stated that the request of Tammy S. Thompson has been withdrawn.

Motion: Moved by Trustee Rice, seconded by Trustee Neuburg, to approve the Operator's license requests of Amanda M. Hanus, Elizabeth A. Frantl, BreeAnne M. Mihok, Christine A. Hughes, and Shari A. McGuire. The motion carried unanimously.

Discussion/Consideration –Complaint of resident regarding unappealing visual condition of downtown area

Ms. Royston stated that she did notice that the lighting affixed to the railroad signage post has been taken down.

President Spurrell stated he did speak with the Suhms regarding the fencing, which was taken down.

Ms. Royston pointed out that the Suhms are now affixing permanent straps on the tents and she would like to see the tents come down. President Spurrell agrees the tent should come down, and he will speak to them about it.

Trustee Rice stated it has been several weeks since the last event, and there was not supposed to be any permanent structures. He agrees it all needs to come down. Should there be a motion for a time limit when the events are done? The Ordinance states all items need to be removed within 30 days from the date of erection (Sec. 16.08)?

President Spurrell stated he will inform the Suhms of the complaint and discussion, as well as the ordinance in place.

Consideration/action-Eagle Historical Society building issue with respect to chimney/water leakage

Trustee Rice stated that he is a member of the Historical Society, and this is a joint owned building by the Village and the Town. The chimney is over 100 years old and the bricks are crumbling. He believes there is a flashing issue. There is potential that artifacts will be water damaged and is a big concern. The membership will take care of the drywall, etc., but consideration is requested for repair of the chimney/roof area.

John Davis, Town Board Supervisor, was present in the audience. He stated that the Town Board gave approval to research the cost involved, and with readdress it when quotes are received.

President Spurrell stated that this is a specialty type of work. He is familiar with a person who may be able to quote the project and will provide Mr. Davis with any information he receives.

Trustee Jones stated that the cost of the project could run \$1,600 depending on the cost of the brick.

General discussion ensued with respect to this cost coming from unclassified or under the historical building expense. In any case, the budget will be exceeded.

Motion: Moved by Trustee Schoessow, seconded by Trustee Neuburg, to allow for up to \$800 on behalf of the Village (50% share) for repairs to the chimney/roof of the Historical Society Building, pending approval by the Town Board of their 50% share. The estimate is to be approved by the Town on the Village's behalf in order to accommodate the repairs. The motion carried unanimously.

Consideration/action Waukesha County Salt-Sand Mix Contract for 2013/2014 season

President Spurrell stated that Steve usually uses salt only, and that generally, the salt/sand mix is lower in cost. This year, it is higher.

Motion: Moved by Trustee Rice, seconded by Trustee Neuburg, to approve the Waukesha County Salt-Sand Mix Contract for 2013-2014 season. The motion carried unanimously.

Discussion/Consideration-Renewal of liability/property insurance through R&R Insurance

President Spurrell stated that no numbers have yet been received, and therefore, he recommends tabling it at this point in time.

Motion: Moved by President Spurrell, seconded by Trustee Schoessow, to table the renewal of liability/property insurance through R & R Insurance. The motion carried unanimously.

Consideration/action-Request of Clerk to attend DOJ public records meeting in Waukesha on October 29, 2013

Motion: Moved by Trustee Neuburg, seconded by Trustee Schoessow, to approve the Clerk attending the DOJ public records meeting. The motion carried unanimously.

Consideration/action –Request of Clerk to attend District V meeting in Fort Atkinson, October 31, 2013

Motion: Moved by Trustee Schoessow, seconded by Trustee Rice, to approve the Clerk attending the District V meeting in Fort Atkinson on October 31st. The motion carried unanimously.

Discussion regarding meetings, minutes, agendas and open records of committee meetings

President Spurrell stated he has concern that the 5/8 and 5/28 minutes of the Police & Licensing Committee have not been approved. He also stated that all committees need to be more diligent on getting the meeting minutes to the Clerk's office for posting. Items should be stated in a factual manner, with no editorials. He specifically eluded to the Kettle Moraine Days item, and stated that the committee needs to remain transparent and not reflect personal opinion.

He then went on to state that agendas need to be provided to the Clerk's office at least one week prior to get posted in a timely manner. People have to know what is going to be discussed. The general public has to be made aware and have a reasonable understanding of what is to be discussed.

As to the 19.84(2) three minute time limit for the public speaking, he agrees that language stating "retract" is not a good perception. As for open records, what is handed out at any meeting level is open records. Packets should be available unless marked personal and confidential, and provided without an open records request.

Trustee Rice concurred conclusively, and stated that one does learn as they go. He referred to the Personnel & Finance Committee's recommended packet for new Trustees.

President Spurrell then stated that Chapter 2 of the Municipal Code does refer to the fact that there are four committees, all of which have an important role in Village government. They must meet monthly and keep appropriate minutes. He hopes all committees will get on track with meeting on a monthly basis.

Trustee Rice stated that Chad McGlothen has resigned from the Codes & Ordinances Committee, and asked that a replacement be found.

Code & Ordinance/Action Items:

Trustee Rice stated that the committee did create a new section to Chapter 2 of the Municipal Code as it relates to the Village Assessor, to Protect the Confidentiality of Information Provided to the Village Assessor. He read the language into the record (Sec. 2.07). Without this

language, because of open records law, a person could obtain personal information about a person. This protects their information for open records law.

Motion: Moved by President Spurrell, seconded by Trustee Schoessow, to approve Ordinance #212, Section 2.07 of Chapter 2 of the Municipal Code, An Ordinance to Protect the Confidentiality of Information Provided to the Village Assessor, as presented and read into the record. The motion carried unanimously.

Fire Commission

President Spurrell stated that there are Fire Commission staffing needs. The membership is down to 35, with a crew on once every four days, down from once every six days.

Consideration/action regarding Eagle PD officers responding to FD calls for medical emergencies

President Spurrell explained that Officers Lesniewski and Dominguez are EMT certified through the State and if they are on duty they could respond to a call in the Village or the Town. This would benefit the Fire Department as well. Discussion ensued as to what the benefit would be, costs of wear and tear on the police squads, liability, etc.

Trustee Rice expressed concern for the police officer responding to calls and then not having the time to prepare reports, grant writing, etc. Someone will have to pay, and he believes some change needs to be done under the police department model. If there is no one in the police department, how do we do it. The budget for the PD is \$430,000.00, which he sees becoming \$750,000 in 2-3 years. This has to be looked at closely.

After further discussion, President Spurrell stated that he thinks this is an intriguing idea. There is good and bad. While Trustee Rice sees the budget at \$750,000, what the Police Department gets is what is approved by the Board. There will be costs, but the squads and officers are already on duty, and the cars are already used for patrol. Other municipalities use mutual aid.

Trustee Rice stated that when officers are driving to the call, there will be extra wear and tear on the squads, there is a safety issue, new squads will be needed, costs continue to rise, people want us to do more with less. Without diligent attention, the budget could rise so easily. Expenses and taxes are paid by the Village taxpayers. He does not agree that this should become a standard procedure. The Town is not paying anything for this service. If there was a joint Police Department like the joint Fire Department, with a different business model, he may be more in favor. Trustee Jones agreed with Trustee Rice's comments.

Trustee Rice stated that the Board is just starting the budget. The Village does not have money to do anything. The Police Department does a grand job with patrol, etc. The question is what can the Village afford? There is a want to add more responsibility, but how will the Village pay for it?

President Spurrell stated that it would occur only when EMT certified officers are on duty. He doesn't feel there will be increased costs to the Village.

Trustee Rice stated that once the door is opened, it always turns into more. He sees an increase in costs to the Village. He does not want his or any other tax payers' taxes to go up.

Chief Ehlers stated that he does not want to see this affect the Police Department budget. He believes this is a mischaracterization. The Fire Department is billed by the Police Department for a response. He would want the department to be reimbursed if there is response by the officers. This could create a serious scheduling issue as well.

President Spurrell stated that billing for responses should be looked into to if the Village is aiding for emergency situations.

Motion: Moved by Trustee Rice, seconded by Trustee Neuburg, to table the issue of the Eagle Police Department officers responding to Fire Department calls for medical emergencies until further information is provided. The motion carried unanimously.

Public Works & Property

1. Update on meeting
2. Update on status of opening restrooms in the park
3. Update on street repairs

President Spurrell stated that the PWC Chair was not able to attend this evening. There is no update as to the restrooms in the park. This will be a Board decision, not an employee's decision. As for streets, the final lift will be done to South Street late next week or early the following week.

Police & Licensing

Trustee Rice stated that the Police Department is looking for additional officers. They found a fine candidate, and the committee recommended the Board approve to hire this individual. Chief Ehlers stated that they are looking to fill a part time position. This officer has five years of Full time experience in Lake Geneva. He would be hired to replace an officer who recently resigned. He worked previously as a military police officer, and is also an IT person.

Motion: Moved by Trustee Schoessow, seconded by Trustee Jones, to approve the hire of a new part-time police officer, Jared Glaze, effective immediately. The motion carried unanimously

Results from Referendum

President Spurrell stated that the referendum results showed a 2 to 1 ratio of voting no, however, this was an advisory referendum and is not binding. There was a 12% turnout. If there had been more voters, the ratio could have gone either way. The public was notified and Board meetings were held, and the Board has heard from some people this evening, which he appreciates them speaking their mind. From a personal viewpoint, the Village does pay rent rather than a mortgage. He views things different than others. He gave a scenario of how the office staff interpreted the referendum questions, thereby causing the need to define the "building budget" in the explanation. It did not cross his mind how the questions would be determined by others, and he wanted it to be more transparent.

Trustee Rice stated that of the people he talked to, most of whom were taxpayers for many years, their concern is that projects never come in at or below budget. They were quite clear it would not come in at the figures presented. Their question again was why build if the Village can't afford what's already here? These taxpayers were not in support of the new construction.

Motion: Moved by Trustee Rice, seconded by Trustee Jones, to stop all development of a new police station, with no other consideration of any further proposals, and retracting the retainer from the architect. The motion was called, approved unanimously, then amended, as follows:

President Spurrell stated the Village should not stop looking at it, and stated he does not like the location presented. He amended the motion made to cease further consideration of the police station, while including the detraction of the retainer for the architect. The motion carried unanimously.

The previous motion was then called and carried unanimously. There was no time frame set.

Personnel and Finance

Consideration/action to hire IT support

President Spurrell stated that he did inquire as to the hourly rate charged by Mike Pepper. The Fire Department has hired him as an employee at \$20/hour.

Motion: Moved by President Spurrell, seconded by Trustee Neuburg, to table the hiring of IT personnel until further information is received. The motion carried unanimously.

Consideration/action on employee evaluation forms

In addition to regular evaluation forms completed by P&F, the committee is now recommending the addition of a self-evaluation form as well.

Motion: Moved by Trustee Rice, seconded by Trustee Jones, approve the addition of a self-evaluation form as presented by the P&F Committee. The motion carried unanimously.

Consideration/action regarding Village office staffing

President Spurrell presented a side by side comparison of a two person part-time office to a full-time and part-time office. The costs are nearly the same. Due to some miscommunication in the office, the P&F recommends one full-time and one part-time position upon the Treasurer's resignation. It is the recommendation of the P&F that an ad be placed for a full-time Clerk/Treasurer position. Clerk O'Brien would be able to apply.

Motion: Moved by Trustee Rice, seconded by Trustee Jones, that the Board consider changing the office staff from two part-time positions to one full-time position, and one part-

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time position at 8 hours per week, with an ad placed for the Clerk/Treasurer position in the newspaper. The motion carried 4-1 (Schoessow voted nay).

With respect to the ad, there will be no salary or lock in wage amount listed.

Motion: Moved by Trustee Neuburg, seconded by Trustee Rice, that the ad not reflect a salary or a lock in wage for the Clerk/Treasurer position. The motion carried unanimously.

Discussion regarding 2014 budget

Set insurance employee contribution rate for 2014 Budget workshop-set date

President Spurrell went through line items of the budget he has changed thus far. The new insurance amount has been reflected and is much less than last year.

Motion: Moved by Trustee Rice, seconded by Trustee Jones, to set the employer contribution rate for health insurance at 88%. The motion carried unanimously.

As for the budget work shop date, the Board agreed to October 3, 2013 at 6 p.m.

Park & Recreation Committee

Trustee Jones stated that programs being offered were discussed. There have been some additions and some deletions. The fundraiser at Kettle Moraine Days only netted \$432.79. Something different may be considered next year. The P&R budget will be reviewed on September 30.

Nature Trail Update

Trustee Neuburg stated the the NHS kids were out to help fight the thistles. Jean Weedman obtained white acorn trees for the trail as well. She spoke to the adopt a tree program as well.

Adjournment

Motion: Moved by Trustee Jones, seconded by Trustee Schoessow, to adjourn the meeting at 9:47 p.m. The motion carried unanimously.

Respectfully submitted,
Jeanne O'Brien, Clerk