

VILLAGE OF EAGLE REGULAR BOARD MEETING MINUTES

Approved

Call to Order/Open Meeting Law requirements R. Spurrell called the meeting to order at 7:00 pm on October 9, 2014 and confirmed open meeting law requirements were met.

Roll Call S.Royston, G. Scheff, K. Degenhardt, R. Block, L. Neuburg, M. Schoessow, and R. Spurrell all present.

Pledge of Allegiance: Pledge of Allegiance was led by R. Spurrell

Announcement for possible closed session per WI statute 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to review performance and evaluation data of the Police Chief. R. Spurrell made an announcement for possible closed session per WI statute 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to review performance and evaluation data of the Police Chief.

Review/Approval of Minutes Motion to approve the minutes from Sept 11, 2014 by R. Block. Seconded by L. Neuburg. S. Royston clarified the motion from the August meeting to have been for a fuller board, not a full board. R. Spurrell commented that the August minutes were approved in Sept and it was asked about at the Sept. meeting. The board members in attendance thought it was a full board. Spurrell also noted that it was more of a formality due to a full board being present tonight. Motion carried 6 – 0 – 1 with S. Royston abstaining.

Review/Approval of Treasurer's Report, including regular monthly accounts payable R. Spurrell stated there was not a treasurer's report and that would be explained further under announcements. Motion to table the treasurer's report and approve regular monthly accounts payable by R. Spurrell. Seconded by L. Neuburg. Motion carried unanimously (7-0).

Clerk's Report No clerk's report

Citizen Comments/Concerns B. Dingle, 116 South St asked for an update regarding the noise ordinance. R. Spurrell stated the police committee and code and ordinance will both be working on it, but there is no action as of yet. R. Block stated he did note the concern of the horse urine smell as well.

A. Shird, 133 Eagle St, asked about the Zoning of Appeals meeting. R. Spurrell stated they have not met yet and will explain more during announcements.

S. Dooley, 100 South Rd Knucklehead, stated for the record the business has been here 11 yrs and nothing has changed with the business.

S. Bidwell, S49W30676B Old Village Rd Genesse, stated she wanted to thank Chief Ehlers for responding to a call that morning at the Citgo Station. While waiting for WSD for 911 she called her husband who called Chief Ehlers who responded milliseconds before WSD. She wanted to state that she is gratefully for the PD and personally thank Chief Ehlers for responding.

A. Shird, 133 Eagle St, stated regarding the noise concern that he lives 4 or 5 houses down from Knuckleheads and he doesn't have any issues.

B. Dingle, 116 South St. clarified the noise isn't every time, the concern is the bands inside are occasionally really loud, enough that he has to turn up the TV beyond normal listening volume.

Labor day weekend with the outdoor band was what put him over the edge. He stated he thinks 1 in the morning is extreme.

E. Bidwell S49W30676B Old Village Rd Genesee, wanted to state that regarding the legion everything with Scott had been ok and he isn't sure what the issue is with Jill but want just say thank you to Katy for speaking up on their behalf.

J. Steinhardt, 523 E. Main St, stated she believes she is the Jill that E. Bidwell is speaking of. She stated she was asked by the gentleman from the legion to have two pieces of paper filled out. Jill further stated that was a lot of conflict of when the building was being used due to the issuance of a key. She suggested the key be given back to be able avoid any conflicts and to allow her to continue doing the job she was asked to do. Jill then stated she wasn't sure how it got from asking for paperwork to be filled out to Katy Degenhardt, who had no jurisdiction in this matter, slandering her. She stated she took pride with the building and always tried to work through issues.

R. Spurrell then stated that he is stopping the discussion about the legion. He asked Jill if there was any more Village business matters she wished to discuss but he was stopping the legion discussion.

J. Steinhardt stated she felt she needed to defend herself because of the slandered she received. She doesn't feel the board has any jurisdiction in this matter on any level and should have never been involved.

R. Spurrell stated he did allow some citizen comment due to a Village Trustee's involvement but was stopping the conversation due to the fact the legion is not the Village Board's jurisdiction and is a private entity's issue.

J. Steinhardt asked why the board was even involved, then stated she guessed it will be discussed later but also stated she thought this was what citizen's comments is for. R. Spurerll stated it is but the conversation is becoming a debate between two audience members and that is not what citizen's comment is for. When citizen's comments becomes a debate in the audience it is stopped. The issue that was expressed will be addressed by the board when the board gets to that line item on the agenda. R. Spurrell then asked for any other citizen's comments other than the legion.

S. Bidwell started to comment about the event at the legion; R. Spurrell stated no more comments on legion because that is a private entity's issue and stopped S. Bidwell's comment.

Announcements: R. Spurrell made 3 announcements. First was that there may be a special board meeting to approve poll workers. The Chief election inspector is looking to see who is available but may need new workers approved; and if a special meeting is held missed operator's license approvals for tonight's meeting will be on the agenda as well. Second announcement was the Historical Society has requested their annual donation. R. Spurrell read the letter from the Historical Society and stated the money is budgeted and will be donated. The third announcement was the resignation of the Clerk/Treasurer. R Spurrell read the resignation letter from Clerk/Treasurer A. Bonus stating she resigned due to medical and health concerns. R. Spurrell clarified this was the announcement he referred to earlier in the meeting that would help explain previous statements. Further discussion regarding the resignation would occur later in the meeting as posted on the agenda.

G. Scheff announced the veteran's memorial is at the Historical Society and suggested people go look at it. Bricks are also available with donations.

K. Degenhardt commented on the success of Eagle National Night, thanked everyone involved and looks forward to next year's event.

S. Wilton, on behalf of the Fire Chief, commented on the success of Eagle National Night out, and stated the annual pancake breakfast is coming up with the annual Pumpkin Party on the last Saturday of October.

Chief Ehlers distributed the monthly call report. Then acknowledged the comment of responding to the call that morning and stated any resident can call his cell phone for help and he would responded to the call whether it's 3 am, or 5:45 am as this morning, but would respond anytime he hears the phone call. That service is available to any resident. Many residents have his cell number but if they don't they can ask and he will give it to them. He stated he will respond to any call any time in uniform or even without uniform if it's a truly a life threatening situation, such as that morning as he found out when he responded.

Consideration/Action regarding alcohol operator's license applications Motion by L. Neuburg to approve Jamine Irwin and Crystal Mindiola's operator licenses. Seconded by M. Schoessow. Motion carried unanimously (7-0).

Eagle Business Association J. Suhm gave an update on the EBA. She stated there are currently 72 members and invited any business to join EBA. The focus is the Eagle community but any business can join. EBA will be hosting the Pumpkin Party on Oct 25th from 12:00 to 4:00. They are expecting approximately 300 children. Jan also stated for the record that EBA was not invited to the Eagle National Night Out. Jan also stated the beautification project is moving forward with the electric work and the sidewalk.

Update on Eagle National Night Out Chief Ehlers stated the event was well attended. It was estimated that there was a total of 400 – 500 attendees. Overall the event seemed well received. Next year a committee will be formed to regulate who, as a vendor, would attend. Chief Ehlers stated it was pretty good for a 1st year kickoff with only 3 weeks preparation and looks forward to a bigger and better event next year.

Consideration/Action regarding Waukesha Sheriff's Department giving presentation to Village of Eagle Board After general discussion about the history of getting numbers from WSD and the pros and cons of a presentation, K. Degenhardt motioned to not have WSD give a presentation. Seconded by R. Block. During further discussion R. Spurrell stated for record that the lack of a WSD presentation does not mean the Eagle Police Department does not still have room for improvements. Motion carried 6 – 1 with S. Royston voting against.

Consideration/Action regarding the authority of the Village Board

The authority of Village Board members to act in the name of the Village

The authority of the Village Board to reprimand one of its members

R. Spurrell did go on record stating he did let public comment go a little longer than normal, but did so because the legion issue has somehow seemed to have become a Village Board issue. R. Spurrell also went on record to say how the American Legion rents their building is not a Village Board issue. R. Spurrell read portions of a letter from Attorney Blum citing state statutes that define the Village Board's authority and powers, and that board members do not have the authority to act on issues without the approval of the board. The letter also stated that the board does not have authority over private entities. The letter also stated that board members identifying themselves as a board member suggests they are acting with and through the power of the Village Board. R. Spurrell did apologize on the board's behalf for what had been done. R. Spurrell also stated that what was done will be addressed by the board but the action and the words can't be erased. The board will address what it can but for any actions taken by the American Legion those concerns would have to be discussed with the American Legion because there is nothing the board can do regarding any actions the American Legion has taken. R. Spurrell went on state the letter also stated that the board has two options for discipline of a board member. One option is a

public censor, a public reprimand for whatever actions may have been taken. The other option is the board can remove a board member by majority vote for gross neglect of their duties. K. Degenhardt stated that she doesn't think this was a board action, she only passed on a complaint that she was given. G. Scheff stated complaints should be given to the office or to the committee, so the committee and the board can handle the complaints. R. Spurrell stated for the record for the residents and the board members that any complaints regarding a private entity will not be handled by the Village Board due to the fact it is not the Village Board's jurisdiction. After discussion S. Royston made a motion to censure the board member who represented herself as a board trustee per the statement from the Village Attorney. Seconded by G. Scheff. After calling for the vote, R. Spurrell called a roll call vote to clarify the vote. S. Royston - Yes, G. Scheff - Yes, K. Degenhardt - No, R. Block - No, L. Neuburg - Yes, M. Schoessow - No, and R. Spurrell - Yes. Motion carried 4 - 3. R. Spurrell then stated in the public forum that Trustee Degenhardt no longer call and represent herself as a Board Trustee to private entities anymore because this not a jurisdiction that the Village Board has. Anything K. Degenhardt feels she needs to do to correct her actions is her choice but do not do this again.

Consideration/Action regarding garbage and recycling pick up service and schedule R. Spurrell gave an update that he met with Waukesha County and John's Disposal. Waukesha County is consolidating with Milwaukee County for recycling and John's will now have to deliver the recyclables from the Village of Eagle to Milwaukee. John's is working on a proposal with Waukesha County to deliver the recyclables from a closer community and to be able take the recyclables from Eagle to the John's Disposal facility in Whitewater. John's is also proposing switching to a single stream large container for recyclables with a pick up every other week. This would give a cost savings to the residents. This item will be on the November agenda for further discussion and action.

Committee Reports/Action Items:

Fire Commission R. Spurrell gave an update that the Fire Commission meeting is next Tuesday. R. Spurrell also gave an update that both the safety trailer and the grass rig were both involved in an accident and have been determined to be a complete loss. The insurance company is processing the claim, once the claim is done the Fire Department and the Fire Commission will review what options are available.

Recreation Department There was no meeting due to a lack of a quorum. The budget workshop has been rescheduled for Monday.

Code & Ordinance

S. Royston stated the committee will meet on the 3rd Tuesday in October and there was no September meeting.

Board Discussion and Action on a recommendation from the Code & Ordinance Committee to change Ordinance 2.15 to include "Meeting Absence Penalties", as crafted by the committee, with a contingency that it be reviewed and approved by the Village Legal Staff prior to implementation

After general discussion, motion by R. Spurrell to forward to the attorney for review. Seconded by G. Scheff. Motion carried unanimously (7-0).

Board Discussion and Action on a recommendation from the Code & Ordinance Committee to have the Village Board include funding in the 2015 budget for full recodification of Village Ordinances.

R. Spurrell stated that the Personal and Finance committee was looking at the budget and the preliminary budget does have \$10,000 in the budget for recodification.

Board discussion and action on directing the Code & Ordinance Committee whether or not to pursue and proceed with an expanded/residential chicken-raising Ordinance for the Village that now restricts this to the A-2 Limited Ag District to 2 ½ acre parcels.

After general discussion, motion by G. Scheff to direct the committee to continue to look at a chicken-raising ordinance. Seconded by K. Degenhardt. Motion carried unanimously (7-0).

Nature Trail Committee L. Neuburg gave an update the awards dinner for the grant received is tonight. L. Neuburg also stated there was also work done on pulling out the invasive weed canary grass out of the pond and now native growth is coming in and that a sculpture of an Eagle is being put on the nature trail

Library Board No update

Police & Licensing Chief Ehlers gave an update that the noise issue and the complaints are being looked into. The concern of the horse smell is being addressed by the owner Knuckleheads. The concern of parking along South Street where the no parking signs are is being addressed as well.

Discussion regarding fundraising for Police Station Chief Ehlers stated that the idea of looking at fund raisers to build a new police station at no cost to the tax base was being asked of the board to see if the board was ok with the idea. There was general discussion regarding fund raising and KickStarter and the concept of needing information and plans before starting a fundraiser. G. Scheff stated he felt it would be ok to research as long as it wasn't on company time. The board had a general consensus that it would be ok to research if it is not at a cost to the Village and that the consensus is not to take any action without further research and discussion.

Discussion/action regarding hiring a part time police officer Motion by K. Degenhardt to hire S. Grabowski as a part time police officer. Seconded by G. Scheff. Motion carried unanimously (7-0).

Public Works & Property The committee is moving forward this month with 4 items but no update this month.

Personnel & Finance

Discussion/action regarding the Village of Eagle Clerk/Treasurer position

R. Spurrell reiterated that Alyson gave her resignation from the Clerk/Treasurer position. R. Spurrell stated the Deputy Clerk/Deputy Treasurer B. Hoefakker will be trained for elections to have a certified elections clerk. R. Spurrell also stated that he learned today that due to election laws for early voting, hours were published and those hours need to be met from the days October 20th to October 31st. R. Spurrell asked the board to consider moving forward with filling the vacant position and to consider fill the vacancy for the early voting process. Motion by L. Neuburg to start the hiring process to fill the vacancy. Seconded by G. Scheff. Motion carried unanimously (7-0). L. Neuburg motioned to hire temporary help to cover the posted absentee hours. Seconded by G. Scheff. R. Spurrell asked for clarification at whose discretion the hiring will be at. He asked if the motion was at his and Deputy Clerk/Deputy Treasurer B. Hoefakker's discretion. L. Neuburg agreed her motion is that the hiring is at R. Spurrell and B. Hoefakker's discretion. G. Scheff agreed his seconded is at R. Spurrell and B. Hoefakker's discretion. Motion carried unanimously (7-0).

Discussion/action to set employee insurance contribution percentages

Motion to pay 88% of health insurance costs for full time employees and 25% for part time employees by R. Block. Seconded by G. Scheff. Motion carried unanimously (7-0).

Discussion regarding the 2015 Village of Eagle budget

R. Spurrell stated the budget has been worked on and the board will have a budget workshop on October 23rd. The current preliminary budget is at a deficit of \$28,000.

Motion for closed session per WI statute 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to review performance and evaluation data of the Police Chief. Motion by G. Scheff to go into closed session per WI statute 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee

over which the governmental body has jurisdiction or exercises responsibility; specifically to review performance and evaluation data of the Police Chief. Seconded by S. Royston.

Roll Call Vote S. Royston - Yes, G. Scheff - Yes, K. Degenhardt - Yes, R. Block - Yes, L. Neuburg - Yes, M. Schoessow - Yes, and R. Spurrell – Yes Motion carried unanimously (7-0).

Closed Session

Motion to reconvene into open session Motion by S. Royston to reconvene into open session. Seconded by L. Neuburg. Motion carried unanimously (7-0).

Open Session

Discussion/action related to the closed session discussion No action taken.

Adjournment Motion by K. Degenhardt to adjourn. Seconded by R. Block. Motion carried unanimously (7-0). R. Spurrell adjourned the meeting at 10:28 pm.