

# TOWN OF RIB MOUNTAIN

## *Regular Town Board Meeting February 3, 2009*

Chairman Allen Opall called the meeting of the Rib Mountain Town Board to order at 7:09 p.m. in the large meeting room at the Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Supervisors LeRoy Jonas, James Legner and Frederick Schaefer. Excused: Supervisor John Sybeldon.

Also present were Town Attorney Chris Toner, Town Administrator Gaylene Rhoden, Fire Chief Paul Wirth, Building Inspector Daniel Dziadosz, Streets/Parks Superintendent Scott Schatschneider and Clerk/Treasurer Patricia Jahns.

On January 30, 2009 copies of the meeting notice were made available to the media, Town Board and posted at the Rib Mountain Municipal Center.

**Minutes: Motion by Jonas/Legner to approve the minutes of the 1/20/09 regular and closed Town Board meetings. Questioned and carried 4:0.**

Chairman Opall introduced the Town's new attorney, Mr. Chris Toner.

**Agreement: Ruder Ware Law Firm to Hire Chris Toner as Town Attorney** - Attorney Chris Toner of the Ruder Ware Law Firm has been hired to represent the Town as its attorney. Ruder Ware provided a letter of understanding dated 1/30/09 to clarify the law firms' scope of services. The Town responded to the engagement letter on 2/3/09 to include additional items. As Attorney Toner did not have time prior to this meeting to review the Town's correspondence, the Board took up this matter later in the meeting.

**Agreement: Petro Mart, Inc. Fuel Contract** - The agreement with Petro Mart provides the seller will give the Town a 2% discount per gallon from the listed price of fuel, file the necessary federal fuel tax report on behalf of the Town, and renew automatically. Supervisor Schaefer recommended that a choice of law clause and no assignment of the contract be included in the agreement. **Motion by Schaefer/Jonas to approve the agreement with Petro Mart subject to adding an anti-assignment clause and choice of law clause and any additional changes approved by the Town Attorney. Questioned and carried 4:0.**

**Recommendation from Connectivity Committee to Spend No More than \$8,000 for WiMax Study and Town Application Fees** - The Connectivity Committee recommended authorization to spend up to \$8,000 to apply for tower access and have Mark Dodge of Granite Wireless do a study for wireless broadband in the community to provide final cost estimates to engineer this project. Supervisor

Schaefer explained the study is the first step in the process and will help the Town Board determine if the initial investment is worth while. The money will come from Rib Mountain tourism fees. This project is a “shovel ready” project submitted to the Governor for state funding and Town Administrator Rhoden will be investigating possible funding from the USDA. Supervisor Legner noted the request was for up to \$8,000. **Motion by Jonas/Legner to authorize \$8,000 for application fees and an engineering study by Mark Dodge of Granite Wireless with money to be taken from the Rib Mountain tourism account. Questioned and carried 4:0.**

Approval of Agent: JRSA Group, LLC (Camille’s Sidewalk Café) - Motion by Schaefer/Jonas to approve Rebecca Lowman as the agent for JRSA Group, LLC. Questioned and carried 4:0.

Supervisor Jonas excused himself from the meeting at this time.

Agreement: Ruder Ware Law Firm to Hire Chris Toner as Town Attorney - Attorney Toner reviewed his hourly rate and clarified instances where the Town would be billed for a higher rate and paralegal needs. Motion by Schaefer/Legner to approve an agreement for legal services with Ruder Ware subject to the 1/30/09 law firm’s engagement letter and the Town’s letter of 2/3/09. Further, the Town requests Ruder Ware to acknowledge these conditions of engagement in writing. Questioned and carried 3:0.

License Applications - Motion by Schaefer/Legner to approve a Class B beer and Class C wine license to JRSA Group, LLC for Camille’s Sidewalk Café, 3845 Rib Mountain Drive. Questioned and carried 3:0.

**Motion by Schaefer/Legner to approve operator licenses for Katie J. Downing and Kayce L. Gessler. Questioned and carried 3:0.**

Forthcoming Events:

- Doepke Recreation Area Fund Raising Committee: None
- Walkable Community Committee: The Committee will meet February 12.
- Park Commission Report: The Commission will meet February 10.
- Public Safety Committee Report: The Committee met prior to this meeting and discussed expanding the State Park hunting area. The Committee recommends that the Town Board allow the expanded hunting area when the DNR requests annual approval of its special hunt in the state park. The Committee also authorized the Town Administrator and Fire Chief to approach Marathon County about a remnant parcel on South Mountain Road.

- Public Works Committee Report: The Committee met after the last Town Board meeting and discussed the possibility of Wisconsin Public Service burying the utilities on Rib Mountain Drive before the Town's CTH N project (Cloverland to Oriole). It was an opportunity for the Town's engineer to coordinate with WPS regarding utility facilities and how they relate to project development. It is proposed that funding will come from outside government agencies, the Rib Mountain Drive account and special assessments.
- Finance & Personnel Committee Report: None
- Town Chairman Report: None
- Town Supervisor Reports: Supervisor Legner inquired about the proposed landscape plan for CTH R and USH 51. Chairman Opall explained that the dark green areas are part of the state project while other colors would be at Town expense.
- Supervisor Schaefer reported that resident Dan Sillars attended the Public Safety meeting before tonight's Town Board and complained that deer are everywhere. He concurred with Mr. Sillars and would like to see the Town do a special hunt like the City of Wausau.
- Town Administrator Report: Gaylene Rhoden filed a written report for the Board's review. She noted Charter will bill the Town for installation and a monthly fee for equipment for the lobby sign. The Charter agreement will be on the next Town Board agenda. She reported the Rib Mountain Sanitary District tabled a review of the CTH NN extension. Supervisor Schaefer requested that a letter he drafted be sent to the District regarding this project and that the Town Board receive a copy. She noted that another community paid to test the mound systems every three years for compliance. Scott Schatschneider will attend Marathon County Infrastructure meeting regarding the City of Wausau proposal to extend its water main west to the City of Abbotsford.
- Attorney Report: Chris Toner thanked the Board for hiring him and Ruder Ware. He stated he is a Wausau native and committed to the greater metropolitan area. He holds former Town Attorney Phil Freeburg in high regard, looks forward to working with everyone and getting up to speed on Town projects and outstanding issues.
- Fire Chief Report: Paul Wirth distributed a written report for the Board's review. He noted the second floor of the Public Safety Building will be completed soon. He is working with the Aspirus Emergency Services Director on an agreement to house an intercept vehicle in the fire station. Chief Wirth reported he met with the Weston and Schofield Fire Chiefs to discuss mutual aid ideas to avoid duplication.

- Building Inspector Report: Daniel Dziadosz submitted a written report. He reported the Metro Sewerage District will replace a slurry tank, there is developer interest in the community, and his association is doing a mutual aid analysis.
- Streets/Parks Superintendent Scott Schatschneider submitted a written report for the Board's review. He apprised the Board of public works projects and crew activities and provided a Van Ert estimate for signal improvements at CTH NN and Rib Mountain Drive.
- Clerk/Treasurer Report: Patricia Jahns submitted a written report for the Board's review. She reported that Local Government Investment Pool announced that after February 15 it will no longer be insured against credit loss. Credit loss insurance is not available given the current state of financial markets. LGIP is searching for similar coverage from other insurance providers but in the meantime is in the process of obtaining a Standard and Poor's Rating Services. She also reminded the Board of the February 17 primary and that absentee ballots are available in the Clerk's Office.
- Code Enforcement Officer Report: Paul Hursh submitted a written report for the Board's review to apprise members of January complaints and issues.

Public Comment Period – Harlan Hebbe, Jr. reported a street light out at Sunrise and Carnation.

State Representative Jerry Petrowski reported on the state budget, a potential 10% cut in shared revenues and/or road aids, and the proposed federal stimulus package.

**Adjourn - Motion by Schaefer/Legner to adjourn at 7:57 p.m. Questioned and carried 3:0.**

Patricia J. Jahns, MMC/WCPC/CMTW  
Clerk/Treasurer