

# TOWN OF RIB MOUNTAIN

## *Regular Town Board Meeting*

*September 2, 2008*

Chairman Allen Opall called the meeting of the Rib Mountain Town Board to order at 7:00 p.m. in the large meeting room at the Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Chairman Allen Opall and Supervisors LeRoy Jonas IV, Frederick Schaefer and John Sybeldon. Supervisor James Legner was excused.

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

On August 29, 2008 copies of the meeting notice were made available to the media, Town Board, Town Attorney and posted at the Rib Mountain Municipal Center.

**Minutes: Motion by Jonas/Sybeldon to approve the minutes of the 8/19/08 regular Town Board meeting. Questioned and carried 4:0.**

Plan Commission Report & Recommendations - Docket 08-34: D & L Signs, representing Radies Properties d.b.a. "Restor-U", requesting modification of their Unified Design District approvals to erect a 30 foot tall pylon sign at 5103 Lilac Avenue. The Plan Commission recommended approval of the 30' high pylon sign with a 100 square foot sign with 44' wall signage.

Daniel Dziadosz explained the recodification of 1999 limits a pylon sign to a maximum of ten feet. Restor-U argued that the highway was raised and the business is in a low area. Supervisor Schaefer noted the business could be clearly seen from the road and a higher pylon sign is not needed for people to find that type of business. He felt the 30' pylon would be more like a billboard. **Motion by Schaefer/Jonas to deny the request of Radies Properties d.b.a. Restor-U for a 30' high pylon sign with a 100 square foot sign. Questioned and carried 4:0.**

***Docket 08-32: Town of Rib Mountain Plan Commission*** requesting modification of zoning code section 17.056(8) (d), setting a maximum accessory building limitation of 1,500 square feet by conditional use. The Plan Commission recommended approval for modification of the zoning code section 17.056(8)(d) to set a maximum accessory building limitation of 1,500 square feet by conditional use as amended. The Board reviewed draft Ordinance No. 08-11.

**Motion by Schaefer/Jonas to approve Ordinance No. 08-11: Detached Private Residential Garage, Carport, or Utility Shed. Questioned and carried 4:0.**

*Docket 08-16: Town of Rib Mountain Plan Commission* requesting creation of zoning code section 17.056(4) (q) Convenient cash businesses and similar establishments governing the location and regulation of such establishments. The Plan Commission recommended approval for the creation of zoning code section 17.056(4) (q) convenient cash businesses and similar establishments governing location and regulation of such establishments. The Board reviewed draft Ordinance No. 08-12. **Motion by Jonas/Schaefer to approve Ordinance No. 08-12: Convenient Cash Businesses and Similar Establishments. Questioned and carried 4:0.**

*Docket 08-35: William Pusheck* requesting approval of a lot subdivision at 2004 Jonquil Lane. The Plan Commission recommended approval of the CSM subject to an approval from the Zoning Board of Appeals allowing the detached garage to remain or removal of the detached garage prior to the sale of the lot. Daniel Dziadosz stated the new lot would meet SR3 requirements and the garage is used for storage. However, the garage is 25 years old and isn't structurally sound.

Attorney Freeburg disagreed saying to sell the lot with the garage there would be selling a zoning violation. **Motion by Schaefer/Jonas to make approval of the certified survey map subject to the condition that the CSM be marked that the garage may remain if there is common ownership of the original parcel and the new parcel but, if the new parcel is sold to someone else, the building must be removed within six months of the sale. Questioned and carried 4:0.**

Approve Contract with Steigerwaldt Land Services, Inc. for Market Study and Land Acquisitions for CTH N for Sidewalks – Bruce Gerland of Earth Tech requested a proposal from Steigerwaldt Land Services Inc. as Earth Tech doesn't provide this type of service. The proposal includes \$3,500 for a market study and \$10,800 for nine acquisitions for Rib Mountain Drive sidewalks. This work is to be completed prior to August 2009. Supervisor Schaefer noted the money would come from the Rib Mountain Drive reserve account. **Motion by Schaefer/Jonas to approve the contract with Steigerwaldt Land Services in the amount of \$14,300 for a market study and land acquisitions. Questioned and carried 4:0.**

Petition to Reduce Speed Limit on Laurel Road from 35 mph to 25 mph – At the August 19, 2008 meeting resident Jon Warnke represented petitioners of the Laurel / Woodsmoke neighborhood requesting a speed limit reduction on Laurel Road. Staff sent a letter to neighborhood residents that the Town Board would consider this petition at this evening's meeting. Residents Duane Hussong and Barb Garske stated they were opposed to the speed limit reduction as there is no enforcement. Resident Jean Miller believes that a 25 mph speed limit in a

residential neighborhood is appropriate. She stated the neighbors have spoken to the offenders to no avail.

Attorney Freeburg stated the Town has the authority to set the speed on local roads and the statutes describe speeds for residential and urban business areas, transitional areas and agricultural areas.

**Motion by Jonas/Schaefer to accept the petition and amend the ordinance to reduce the speed limit on Laurel Road from 35 to 25 mph from approximately 600 feet north of Blueberry Lane south approximately 3,200 feet to the termination of Laurel Road. Questioned and carried 4:0.** Scott Schatschneider will prepare the ordinance for the next Town Board meeting.

Ordinance 08-10: Constables (revisions for Code Enforcement Officer) – Attorney Freeburg reported he reviewed the Rib Mountain Municipal Code for references to the Town Constable. He reviewed draft Ordinance 08-10: Code Enforcement Officer. Clerk Jahns noted the sequential order for the ordinance is 08-13, not 08-10 as listed on the agenda. Actual abolishment of the constable position must be done at a special Town meeting and the Town should notify the Department of Justice of that action. **Motion by Schaefer/Jonas to adopt and approve Ordinance No. 08-13: Code Enforcement Officer. Questioned and carried 4:0.**

License Applications – **Motion by Schaefer/Jonas to approve operator licenses for Kevin P. Carey, Thomas D. Hartford, David R. Klehr and Cheryl M. Kordelski. Questioned and carried 4:0.**

Forthcoming Events:

- Doepke Recreation Area Fund Raising Committee: None
- Walkable Community Committee: None
- Park Commission Report: None
- Public Safety Committee Report: Chairman Opall and Administrator Rhoden reported on their conversation with the DNR regarding a bow hunt similar to the one in the Wisconsin Rapids area.
- Public Works Committee Report: None
- Finance & Personnel Committee Report: None
- Town Chairman Report: None
- Town Supervisor Reports: Supervisor Schaefer reported he and Administrator Rhoden attended the 1<sup>st</sup> Tuesday Meeting and learned of a

potential 30-mile pipeline from Wausau to Abbotsford to supply water. He also reported that Governor Doyle will be at the Rib Mountain Elementary School tomorrow.

- Town Administrator Report: Gaylene Rhoden filed a written report for the Board's review. She noted WisDOT's response to a petition by Town residents to lower the speed limit on I-39.

Supervisor Jonas left at 7:42 p.m.

- Attorney Freeburg: Philip Freeburg reviewed the status of the alcohol license for El Tapatio. He suggested the Town Board start a small claims action to collect delinquent personal property taxes and proceed to file a claim to revoke El Tapatio's license.
- Fire Chief Report: Paul Wirth filed a written report for the Board's review. He apprised the Board of Department activities.
- Building Inspector Report: Daniel Dziadosz provided a report of August building permits; apprised the Board of recent fence complaints; and reported the water heater in the municipal building needed to be replaced.
- Streets/Parks Superintendent Scott Schatschneider submitted a written report for the Board's review. He apprised the Board of crew activities and that he located a patrol truck to replace the 1992 truck.
- Clerk/Treasurer Report: Patricia Jahns reported on the September 9 election.

Public Comment Period – None

**Adjourn - Motion by Schaefer/Sybeldon to adjourn at 7:54 p.m. Questioned and carried 4:0.**

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