

TOWN OF RIB MOUNTAIN

Regular Town Board Meeting

April 15, 2008

Chairman Allen Opall called the meeting of the Rib Mountain Town Board to order at 7:02 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Supervisors LeRoy Jonas IV, James Legner and Frederick Schaefer. Supervisor John Sybeldon was excused.

Also present were Town Administrator Gaylene Rhoden, Fire Chief Paul Wirth, Building Inspector Daniel Dziadosz, Streets/Parks Superintendent Scott Schatschneider and Clerk/Treasurer Patricia Jahns. Town Attorney Philip Freeburg arrived later. There were 13 people in the audience.

On March 28, 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/Legner to approve the minutes of the 4/1/08 regular Town Board meeting. Questioned and carried 4:0.

Presentation by Marathon County Forest Administrator - As a function of the Smart Growth and comprehensive planning process, it was discovered that Marathon County had clear cut lands in the Nine Mile Forestry Unit without Town approval. Since Nine Mile is county owned and managed, Marathon County Forest Administrator Thomas Lovelien requested a zoning code change to except County lands from Town review. The County asked the Town to modify its code because 1) the County has an active land management plan, 2) Aspen regeneration requires clear cutting, and 3) the County believes recent legislation prohibits the Town from regulating this activity.

Thomas Lovelien stated Marathon County seeks to balance the recreational uses of its forests with timber production. The County has an approved 15 year forest management plan that has been approved by WisDNR. The primary purpose of Marathon County forests is to provide timber products for industry.

Approximately 3,200 of 30,000 county acres of forest are in Rib Mountain. Nine Mile Forest is a working forest. Clear cutting provides full sunlight for aspen to regenerate and stimulates root buds to begin growing. One acre will produce approximately 10,000 trees. Approximately 200-300 acres still remain in Nine Mile that are scheduled to be clear cut. Mr. Lovelien invited questions and encouraged the Town Board to contact him.

Supervisor Schaefer inquired how much revenue is generated out of Nine Mile. Mr. Lovelien responded that in the last two years, \$70,000-\$100,000 per year. He noted that the Town of Rib Mountain received \$8,200 for trees cut on county forest land. Supervisor Schaefer asked Mr. Lovelien to check on fees charged to groups of children who only use the forest for a few hours on a given day.

Motion by Schaefer/Jonas to refer this matter to the Town Attorney and place the ordinance amendment on the Town Board agenda. Questioned and carried 4:0.

Plan commission Report & Recommendations – Docket 08-12: El Tequila Salsa restaurant, tenant of Lokre Select, LLP & North Mountain LLP at 2000 North Mountain Road, requesting a General Development Plan and Precise Implementation Plan modification to erect a 30 foot tall pylon sign with reader board. The Plan Commission recommended denial of the request by El Tequila Salsa. Members expressed concern that precedence would be set for future developments within a certain distance from a major highway. Daniel noted that the developer didn't submit off-building signage for potential tenants, including IHOP. The present code allows one 10' pylon sign and one 8' monument sign.

Motion by Schaefer/Jonas to deny the request of El Tequila Salsa based on the recommendation of the Plan Commission. Questioned and carried 4:0.

Update and Priority List for Pedestrian / Bicycle Plan – Jeff Frenette gave an update on the 2007 Long Range Plan from the Rib Mountain Bicycle / Pedestrian Committee. A report outlined the funded projects, highest priority unscheduled projects and secondary priorities. **Motion by Schaefer/Jonas to approve the priority list for the bicycle and pedestrian plan. Questioned and carried 4:0.** Administrator Rhoden suggested the Bicycle and Pedestrian Committee hold a public information meeting or Open House to give the public an opportunity to view the map.

Resident Jeff Brandt took issue with the speed reduction on Azalea Road. Attorney Freeburg arrived at this time. Chairman Opall stated the item was not on the agenda but would be given an opportunity under the public comment later. LeRoy Jonas IV, Chairman of the Public Safety Committee, said he would speak with him after the meeting.

Resident Donna Rushin asked to address the crossing guard on Robin Lane but it was not a posted agenda item. LeRoy Jonas IV, Chairman of the Public Safety Committee, said he would speak with her also after the meeting.

Discuss REI Grant with Portage County – Administrator Rhoden proposed that the Town hire an intern with most of the funding to come from the REI grant and the internship program through the Wisconsin City/County Management Association. She estimated the Town's cost at \$2,600 plus attorney fees to draft

an agreement with Portage County. The intern would verify the Veolia containers and assist with public education for recycling for Town businesses. While no funding is available until April 2009, an agreement must be signed between the Town of Rib Mountain and Portage County by the end of this month in order to make application for the Recycling Efficiency Incentive grant. **Motion by Schaefer/Legner to approve an agreement with Portage County subject to Town Attorney review and approval. Questioned and carried 4:0.**

Approval of Agreement with Portage County for Recycling Public Education and Resolution 08-07: Authorization to File for recycling Efficiency Incentive Grant - An agreement is contingent upon the Town's approval to pursue a Recycling Efficiency Incentive (REI) grant. Administrator Rhoden provided proposed language for the agreement. **Motion by Schaefer/Legner to enter into an agreement with Portage County for purposes of pursuing a REI grant and to have the Town Attorney create or modify the draft agreement. Questioned and carried 4:0.**

Approval of Transportation Enhancement Grant for 51-29 Trail - Administrator Rhoden requested authorization to submit a TE grant application for the 51/29 trail. The grant has an 80:20 match. The Town must submit the application to the Wausau Metropolitan Planning Organization by 4/18/08 to be ranked along with applications submitted by other governing bodies. She asked for direction from the Board as the Town's application will be in direct competition with Marathon County's application for funds to shoulder CTH NN. She noted that the County Highway Commissioner had requested a letter of support from the Town for his project. **Motion by Legner/Jonas to authorize the Town Administrator to submit an application for a Transportation Enhancement grant for the 51/29 trail and to write a letter of support for the CTH NN shoulder project. Questioned and carried 4:0.**

Ordinance 08-05: Citation Procedure and Bond Schedule - Attorney Freeburg explained an ordinance amendment will enable the Town's code to change with the state statutes. **Motion by Schaefer/Jonas to adopt and approve Ordinance 08-05: Citation Procedure and Bond Schedule. Questioned and carried 4:0.**

Resolution 08-06: Stewardship Grant Application - Administrator Rhoden requested adoption of Resolution 08-06 to submit with a Stewardship grant application for the Park Road trail. This trail is to be located on the north side of Park Road from CTH R to Violet Avenue with an estimated project cost of \$60,200. The Stewardship grant has a 50:50 match. Dawn Bishop and Bill Bursaw of the WisDNR are preparing letters of support for the trail. **Motion by Schaefer/Legner to adopt Resolution 08-06 for the Stewardship application. Questioned and carried 4:0.**

New Hires – Crossing Guard Substitutes – Motion by Schaefer/Jonas to hire Ned Bandy, Peggy Bant and Gerald Cournaya as Crossing Guard substitutes at the rate of \$10.16 per hour. Questioned and carried 4:0.

Chairman’s Appointments – Motion by Schaefer/Jonas to approve the one-year appointments of Assessor Greg Schmidt, Attorney Philip Freeburg, Building Inspector Daniel Dziadosz, Clerk/Treasurer Patricia Jahns, Fire Chief/Fire Inspector Paul Wirth, and Constables Denney Woodward, Nate Budsberg and James Coscio. Questioned and carried 4:0.

Chairman Opall did not submit a name for approval for the Park Commission vacancy.

Motion by Jonas/Schaefer to approve the reappointment of Thomas Steele to the Plan Commission with a term ending April 2013. Questioned and carried 4:0.

Motion by Schaefer/Jonas to approve the reappointment of Gordon Knoeck and Dennis Vujnovich to the Zoning Board of Appeals with terms ending April 2011. Questioned and carried 4:0.

Approval of Agent – Motion by Schaefer/Jonas to approve Joan Oliva as the agent for Rib Mountain Golf & Development Corporation subject to successful completion of the responsible beverage server training course. Questioned and carried 4:0.

Motion by Jonas/Schaefer to approve Joseph R. Nienow as the agent for Cooper Joe’s Sports Bar & Grill subject to successful completion of the responsible beverage server training course. Questioned and carried 4:0.

License Applications – Motion by Jonas/Schaefer to issue a Class B liquor and beer license to Cooper Joe’s Sports Bar & Grill LLC at 2501 North Mountain Road. Questioned and carried 4:0. It was noted that approval of this license is subject to payment of fees, proof of Wisconsin sellers permit number, approved zoning and permits, etc.

Motion by Schaefer/Jonas to refer the operator license application of Sarah R. Flatter to Chairman Opall for further information and to be within his discretion to approve or deny the application. Questioned and carried 4:0.

Motion by Schaefer/Jonas to approve operator licenses for Peggy Oliva and Yulia Sysueva. Questioned and carried 4:0.

Forthcoming Events:

- Doepke Recreation Area Fund Raising Committee: The playground equipment for Doepke Park has been ordered.
- Walkable Community Committee: No report
- Park Commission Report: The Park Commission is sponsoring an event at Doepke Park on Saturday, April 19th.
- Public Safety Committee Report: The Public Safety Committee met on April 10th to discuss the Marathon County Humane Society, the Constable situation and the ordinance for fines and forfeitures.
- Public Works Committee Report & Recommendations: The Public Works Committee will meet on May 7th.
- Finance & Personnel Committee Report and Recommendations: No report
- Town Chairman Report: Allen Opall reported he received calls about a dog bite. This will be referred to the Public Safety Committee if Marathon County's Corporation Counsel fails to respond. Chairman Opall inquired if the Board was interested in meeting only once per month during the summer.
- Town Supervisor Reports: Supervisor Legner inquired about the status of junk cars on Cloverland Lane. Deputy Inspector Bill Hebert and Constable Jim Coscio took photos at the property. Attorney Freeburg noted the new ordinance on citation procedure has no impact on this case.

Supervisor Schaefer understands the public safety issue of the Azalea Road speed reduction as it is difficult to balance the need for recreational and essential transportation. He suggested it is important that there be input from the members of the Bicycle & Pedestrian Committee and not just those who utilize the route. Supervisor Jonas asked if striping on the road would help. Supervisor Schaefer also inquired about the feasibility of town-wide WIFI.

Supervisor Jonas reported he received emails from Rib Mountain Way residents regarding last year's paving and what could be done to fix it. Streets/Parks Superintendent Scott Schatschneider was directed to have the road swept and rolled.

- Town Administrator Report: Gaylene Rhoden filed a written report for the Board's review. She asked if the REI agreement should go to Finance & Personnel. Board members said no, it was not necessary. She asked if it was necessary to print out all applications and background checks for new

hires. Supervisors Jonas and Schaefer saw no problem with the practice. She requested a meeting date for the Public Safety Committee. Supervisor Jonas responded a Thursday at 4:30 p.m. And she suggested that the full Board schedule a meeting prior to budget season with the Town's Financial Advisor as borrowing is on the horizon and money needs to be designated.

- Attorney Freeburg: Philip Freeburg reported on a presentation to the Bar Association regarding special zoning for payday loan operations. The matter was referred to the Plan Commission for its recommendation.
- Fire Chief Report: Paul Wirth filed a written report for the Board's review. He noted the Department received preliminary approval from the State of Wisconsin for EMT-Paramedic inter-facility transports.
- Building Inspector Report: Daniel Dziadosz filed a written report for the Board's review. He provided updates on projects and a draft ordinance for yard sale signs.
- Streets/Parks Superintendent Scott Schatschneider submitted a written report for the Board's review. He noted a public information meeting on Gypsy Moth suppression was held prior to this meeting. The yard waste site opens April 19th at its new site on South Mountain Road.
- Clerk/Treasurer Report: Patricia Jahns submitted a written report. She noted that 20% of registered voters voted at the April 1 election. She also submitted a report on March bank balances and long term debt.
Motion by Schaefer/Legner to approve checks 33097-33215. Questioned and carried 4:0.

Public Comment Period – Resident Harlan Hebbe Jr. asked for clarification on special zoning for payday loan operations.

Adjourn - Motion by Legner/Jonas to adjourn at 8:32 p.m. Questioned and carried 4:0.

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