



## **TOWN OF RIB MOUNTAIN**

Where Nature, Family & Sport Come Together

[www.townofribmountain.org](http://www.townofribmountain.org)

3700 North Mountain Road  
Wausau, Wisconsin 54401  
(715) 842-0983  
Fax(715) 848-0186

### **OFFICIAL NOTICE & AGENDA**

The Rib Mountain Public Safety Committee will meet at the Rib Mountain Municipal Building, 3700 North Mountain Road, Town of Rib Mountain, on **Tuesday, July 26, 2016, at 12:00 p.m.** and is called in accordance to § 19.83 and § 19.84.

The Town Board may attend for purposes of gathering information. Subject matter for consideration and possible action follows:

1. Call to Order / Roll Call
2. Approval of Minutes of April 18, 2016
3. Approval of Modification to Town Municipal Code 10.13 Noxious Weeds
4. Review of Support Letter for Bicycle Rack Installation for Rib Mountain Businesses
5. Approval of "No Parking" on Lilac Avenue and Fern Lane Ordinance 7.03
6. Discussion of Nuisance Ordinance for Rental Establishments
7. Update on Changes to Liquor Establishment Requirements
8. Contract for Marathon County Sheriff's Department Discussion
9. Fireworks Displays Discussion
10. Update of Purchase of Emergency Siren
11. Adjourn

This agenda is approved \_\_\_\_\_  
Date

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town of Rib Mountain Office at (715) 842-0983.

**TOWN OF RIB MOUNTAIN**  
***Public Safety Committee Meeting***  
***April 18, 2016***

Chairman Pete Kachel called the meeting to order at 12:00 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road. Members present were Pete Kachel, Allen Opall and Jim Legner, a quorum.

Also present were Town Administrator Gaylene Rhoden, Community Development Director Steve Kunst, Code Enforcement Officer Paul Hursh, Finance Director/Clerk Jessica Trautman, Deputy Clerk Michelle Peter, and Street and Park Superintendent Scott Turner.

On April 15, 2016 copies of the meeting notice were made available to the media, Town Board, Town Attorney and posted at the Rib Mountain Municipal Center and Town website.

**Approve Minutes of November 12, 2015 – Motion by Legner/ Opall to approve the minutes of the 11/12/2015 Public Safety Committee meeting. Questioned and carried 3:0.**

Discussion on Firearms and Bow Discharge Map – Community Development Director Steve Kunst said last November the Town Board amended the firearms discharge map and there was question as to whether the Town should be regulating the discharge of weapons. Kunst noted the Town cannot regulate hunting, only the discharge of weapons. Currently Town staff does not enforce the ordinance and the County Sheriff's Department enforcement has been inconsistent. The Committee discussed the pros and cons of changing the ordinance and felt it appropriate to maintain an ordinance regulating the discharge of firearms and bow and arrows. No action was taken.

Discussion of Use of Reserve Deputies from Marathon County Sheriff's Department – Administrator Rhoden said in a past Town Board meeting Supervisor Klein informed Supervisors about a casual conversation he had with a member of the Marathon County Sheriff's Department. The thought is the Town could contract with the County and utilize reserve deputies for specific requests. The Town Intern did research and the average cost is \$45.00/ hour for communities with a similar arrangement. Gaylene noted a lot of discussion is necessary on this idea before anything can be finalized. Staff is looking to the Committee to determine if the Town should pursue the use of reserve deputies. Chairman Opall and Supervisor Legner both supported it, but suggested starting in 2017 so it could be properly budgeted for. Committee Chairman Kachel said that Administrator Rhoden and Code Enforcement Officer Hursh should begin conversations with the County and bring back information to Public Safety Committee.

Discussion and Possible Recommendation to Changes for Liquor Licensing – Finance Director/Clerk Trautman said that in a past Town Board meeting Supervisor Schaefer questioned if the Town could take back liquor licenses from business that aren't using them. Staff contacted the Department of Revenue and was told municipalities do have that right. The Department of Revenue provided an example of such an ordinance. The Committee discussed the fairness of such an ordinance, as well as the cost of the reserve liquor licenses and how it is determined who has to pay \$10,000 and those who \$750. Staff reminded the Committee the cost of the licenses is determined by the State. The Town only has four liquor licenses in reserve. The goal of the ordinance is to make sure that the Town can maximize the use of the remaining licenses. The Committee did not like the sample ordinance and thought more time should be provided to license holders prior to revocation and directed staff should to see what surrounding municipalities do. The Committee directed staff to work with the Attorney and create an ordinance allowing the Town to not renew a liquor license if it had not been used in the last 12 months.

**TOWN OF RIB MOUNTAIN**  
*Public Safety Committee Meeting*  
April 18, 2016

Exemption Request for South Mountain School for Mowing of Soccer Fields – Code Enforcement Officer Paul Hursh said he received a letter from the Wausau School District requesting a waiver from the Town’s Grass and Weed Ordinance 10.13. Larry Cihlar, the Director of Buildings and Grounds for the Wausau School District, was at the meeting. He said the soccer fields are no longer used and it could save the District money if they did not have to mow them. Last year the District hired out the mowing around the school and Cihlar noted if the District were allowed not to mow, they could reallocate the workforce and not contract mowing to an outside company and save money. Cihlar noted they still intend to mow the property 1-3 times a year. The District wants to keep the property so it could be a soccer field if needed again in the future. The Committee discussed the advantage and disadvantages of allowing the exemption. **Motion by Opall / Legner to allow the Wausau School District a 1-year trial basis exemption from Grass and Weed Ordinance 10.13 for the South Mountain Elementary School Soccer Fields. Questioned and carried 3:0.**

Support for Bike Parking for New Development – Administrator Rhoden informed the Committee that at the last Bike & Pedestrian Safety Committee meeting members talked about the location of bike racks at businesses and how many do not even offer bike racks. The Bike & Pedestrian Safety Committee would like to see consideration of bike rack placement occur during site plan reviews for new development projects. **Motion by Legner/Opall to recommend the resolution regarding Placement of Bicycle Racks for New and Re-Development of Commercial Property be forwarded to the Town Board. Questioned and carried 3:0.**

Discussion and Update on Emergency Siren Planning – Administrator Rhoden noted she and Kunst met with Bert Nitzke, of the SAFER District, to discuss the warning siren. Currently some areas of the Town are not covered by the sole existing siren on top of Rib Mountain. The proposal drafted by Nitzke is to put up new sirens at Town-owned properties (Public Safety Building, Yard Waste Site, & Municipal Center) while keeping the existing siren until it is no longer needed. The estimated cost of a new siren is roughly \$50,000. At this time, the amount proposed for borrowing is \$25,000. Staff recommends the Town Board approve \$50,000 in future borrowing to cover the cost of the new siren(s). No action was taken.

Adjourn Meeting – **Motion by Opall/Legner to adjourn the meeting at 12:57 p.m. Questioned and carried 3:0.**

Respectively Submitted by:  
Jessica Trautman  
Finance Director/Clerk

Note: These minutes are not to be considered official until acted upon at an upcoming regular meeting, therefore, they are subject to revision.

**ITEM:** Approval of Modification to Town Municipal Code 10.13 Noxious Weeds

**ISSUES:** Last summer the Public Safety Committee reviewed and approved modification to the Noxious Weeds ordinance. This included changes to height of weeds and habitual offenders. Per the request of a Town Board Supervisor, it is recommended that the Public Safety Committee consider applying the noxious weed ordinance to all properties, not just residential. Attached you will find the revised ordinance with highlighted/strikethrough language.

**FISCAL IMPACT:** Ordinance modification will have minimal staff time preparation. There may be subsequent staff time for enforcement once the ordinance is in effect as this will now require all properties to be compliant.

**ACTION TO BE TAKEN:**

1. Motion to recommend changes to Chapter 10 of the Town Ordinances to the Town Board with Attorney review.
2. Deny and send back to staff for further review.
3. No action.

10.13 - NOXIOUS WEEDS AND OTHER UNSIGHTLY GROWTH. (Cr. #01-07)

(1) DEFINITIONS.

(a) Noxious Weed. The following are noxious weeds:

1. Canada or other thistles;
2. Chicorium itybus (commonly called "chicory");
3. Ambrosia artemis laipolia (commonly called "ragweed");
4. Lactuca scariola (commonly called "prickly lettuce");
5. Hordeum jubatum (commonly called "squirrel tail");
6. Lappa officinalis (commonly called "burdock");
7. White or ox-eyed daisies, snapdragon or toad flax, cockle-burr, sow thistle, sour dock and yellow dock, wild mustard, wild parsnip, quitch grass, also known also as quack grass or leafy spurge, field bind weed (commonly called "creeping jenny");
8. Cuscuta sp. (commonly called "dodder");
9. Brassica juncea (commonly called "Indian mustard");
10. Plantage lanceolate (commonly called "buckhorn");
11. Raphanus raphanistrum (commonly called "wild radish"); and
12. Barbarea vulgaris (commonly called "yellow rocket").

(b) Weed Commissioner shall refer to the Town Building Inspector or another person appointed or designated by the Town Board to serve in the capacity of Weed Commissioner.

(c) Destroy means the complete killing of weeds or the killing of weed plants over the surface and ground by the use of chemicals, cutting tillage, croppage system, or a combination of these at such time and in such manner as will effectively prevent such plants from maturing to the bloom and flower stage.

(2) NOXIOUS WEEDS TO BE DESTROYED.

(a) Every person shall destroy all noxious weeds on all lands the person owns, occupies or controls. The person having immediate charge of any public lands shall destroy all noxious weeds on such lands.

(b) If the owner fails to destroy such weeds, the Weed Commissioner shall destroy or cause such weeds to be destroyed in the manner deemed to be the most economical. The cost of destroying the weeds shall be charged and assessed in the manner provided by § 66.0517, Wis. Stats.

(3) UNSIGHTLY GROWTH.

(a) To Be Controlled.

1. The owner, occupant, or person in control of any residential lot or property adjacent to or adjoining a residential lot

shall not allow, permit, or maintain the growth of grass, hay, brambles, brush, reeds, rushes, cat-tails, or any combination thereof, or any unsightly growth, to a height of over 8 inches, except parcels zoned and used for agricultural purposes.

**ITEM:** Review of Support Letter for Bicycle Rack Installation

**ISSUES:** The Rib Mountain Bicycle and Pedestrian Safety Committee has been discussing the access and placement of bicycle racks for several months. In May the Town Board passed a resolution to have any new development consider installing a bicycle rack as part of their approval process. The Committee also wants to ensure existing businesses have bicycle racks available. Committee members identified approximately fifteen existing businesses that should have racks available. Attached is a letter that would be sent to the businesses. The purpose of the letter is to encourage businesses to install racks.

**FISCAL IMPACT:** A committee member has volunteered to deliver the letters. Staff will also be mailing letters. There should minimal cost with postage.

*The Public Safety Committee has reviewed this item and recommends approval.*

**ACTION TO BE TAKEN:**

1. Motion to approve sending letter to Rib Mountain Businesses.
2. Motion to deny and to send back to the Bicycle & Pedestrian Committee.



## **TOWN OF RIB MOUNTAIN**

Where Nature, Family & Sport Come Together

[www.townofribmountain.org](http://www.townofribmountain.org)

3700 North Mountain Road  
Wausau, Wisconsin 54401  
(715) 842-0983  
Fax(715) 848-0186

July 15, 2016

Dear Rib Mountain Business Owner:

The Town of Rib Mountain has a Bicycle & Pedestrian Safety Committee that has been in existence for more than ten years. The Committee is made of citizens, Rib Mountain business owners and law enforcement representatives. The mission of the Committee is to create and preserve a safer, more courteous environment among pedestrians, bicyclists, and motorists, in our community.

One of the goals the Committee has been working on for the past several months is bicycle parking access. With the expansion of bicycle routes within our community and region, we are finding more people are using bicycles as alternative mode of travel and form of exercise. We would like your support in this endeavor. Please consider installing a bicycle rack in front of your business. This will help improve bicycle friendliness for our area and may increase attraction to your business. Attached are pictures of suggested bicycle racks.

Thank you for your time and consideration.

Sincerely,

Rib Mountain Bicycle & Pedestrian Safety Committee

**ITEM:** Approval of “No Parking” on Lilac Avenue and Fern Lane Ordinance 7.03

**ISSUE:** Lilac Ave

The Town has received concerns of semi-trucks parking along the bike lanes on Lilac Ave east of Kwik Trip. This can pose a safety hazard for bicyclists, pedestrians, and motorist. It was recommended by the Bicycle and Pedestrian Committee to have “No Parking” on both sides of Lilac Ave from Morning Glory Ln to Tulip Ln. Attached is an overview map of the area.

Fern Ln

The Town has received concerns of vehicles parking in close proximity to the intersection of Fern Lane and Violet Ave. This can pose a safety risk for vehicles turning from Fern Ln and Violet Ave. No parking is currently posted on Violet Lane from Park Rd to Fern Ln.

A majority of the parked vehicles on Fern Ln are from pedestrians utilizing the Rib Mountain State Park Trail. It is recommended by the Street and Park Superintendent to install “No Parking Here to Corner” and “No Parking Back to Corner” for 50 feet on the east and west sides of the intersection. Attached is an overview map of the area.

**ACTION TO BE TAKEN:**

1. Install “No Parking” signs on Lilac on both sides of the street from Morning Glory Ln to Tulip Ln.
2. Install “No Parking Here to Corner” and “No Parking Back to Corner” signs on Fern Ln on the east and west sides of the Violet Ln intersection for a distance of 50 feet



Proposed No Parking Both Sides of Street

Rib Mountain:  
"Where Nature,  
Family, and  
Sport Come  
Together"

Prepared by:  
**CWE, Inc.**  
cweengineers.com

Zoning	UDD	Town Park	Hydrant
OR	EO	County Park	Water Well
RA-1	SO	Planned Park	Water Lateral
RA-2	SI	County Forest	Watermain
RR	ROW	Water Feature	
CR-5ac	Unzoned	Woods	
SR-2	Section Line	Building Outline	
SR-3	Paved Road ROW	Index Contour	
UR-8	Unpaved Road ROW	Intermediate Contour	
ER-1	Parcel Boundary	Road Centerline	
MR-4	Platted Parcel	Planned Street	
SC	Shoreland Setback	Soil	
NC	FEMA 100 Year Flood Plain	WDNR Mapped Wetland	
UC		Potential Wetland	



Contours: from Marathon Co. 2012 LIDAR, current as of 6-2013  
 Parcels: from Marathon Co., current as of 6-2013  
 Building Outlines: from Marathon Co., current as of 2010  
 Transportation: from Marathon Co., current as of 6-2013  
 ROW: from Marathon Co., current as of 2011  
 Utilities: from RMSD, current as of 7-2013  
 Soils: from USDA NRCS, current as of 9-2013  
 Wetlands: from WDNR, USDA NRCS, current as of 8-2013  
 Parks: from Marathon Co., current as of 6-2013  
 Zoning: from Marathon Co., current as of 6-2013  
 Gun & Firearms: from T. Rib Mtn, current as of 9-2013  
 Orthophoto: from T. Rib Mtn, Spring 2010

Map Printed: 7/21/2016

DISCLAIMER: The information and depictions contained herein are for informational purposes only; CWE specifically disclaims accuracy in this reproduction and advises that if specific and precise accuracy is required that certified maps, surveys, plats, or other official means be obtained.

There is no Statement of Accuracy for any parcel data; the parcel layer is considered an Index Parcel Layer not a Cadastral Parcel Layer. For planing purposes only.



Proposed No Parking  
Here to Corner 50 Feet  
west from Intersection

Proposed No Parking  
Here to Corner 50 Feet  
east from Intersection

<b>Rib Mountain:</b> <i>"Where Nature,          Family, and          Spirit Come          Together"</i>	Zoning	UDD	Town Park	Hydrant
	OR	EO	County Park	Water Well
RA-1	SO	Planned Park	Water Lateral	Watermain
RA-2	SI	County Forest	Water Feature	
RR	ROW	Woods	Building Outline	
CR-Sac	Unzoned	Index Contour	Intermediate Contour	
SR-2	Section Line	Paved Road ROW	Road Centerline	
SR-3	Parcel Boundary	Unpaved Road ROW	Planned Street	
UR-8	Platted Parcel	Shoreland Setback	Soil	
ER-1	FEMA 100 Year Flood Plain	Potential Wetland		
MIR-4				
SC				
NC				
UC				



Contours: from Marathon Co., 2012 LIDAR, current as of 6-2013  
 Parcels: from Marathon Co., current as of 6-2013  
 Building Outlines: from Marathon Co., current as of 2010  
 Transportation: from Marathon Co., current as of 6-2013  
 ROW: from Marathon Co., current as of 2011  
 Utilities: from RMSD, current as of 7-2013

Map Printed: 7/21/2016  
 DISCLAIMER: The information and depictions contained herein are for informational purposes only. CWE specifically disclaims accuracy in the reproduction and advises that if specific and precise accuracy is required that certified maps, surveys, plats, or other official means be obtained.  
 There is no Statement of Accuracy for any parcel data; the parcel layer is considered an Index Parcel Layer not a Cadastral Parcel Layer. For planning purposes only.

**ITEM:** Discussion of Nuisance Ordinance for Rental Establishments

**ISSUES:** Concerns regarding rental properties came up recently at a Town Board meeting. There had been some frequent complaints about one particular rental property (fire pits, fireworks, etc.). Also, a Board Supervisor was approached by homeowners about another rental property that had questionable activity going on. It was recommended the Town consider an ordinance that would pursue the landowner when habitual violations occurred at a rental property.

Staff researched the ability for the Town to identify questionable activity (i.e. criminal) at rental properties in Rib Mountain. The idea was to model an ordinance similar to the City of Wausau's. Marathon County Sheriff's department stated that this information is not public and would be impossible to track.

The Town's current ordinance under portions of Chapter 10 Public Nuisances allows staff to issue citations to either the property owner or tenant. This would apply to grass and junk vehicles sections. However, this does not necessarily apply to others areas of violations. Other areas would include loose dogs, fireworks, burning, etc.

The Public Safety Committee needs to determine whether a formal ordinance change would be recommended to allow staff to cite not only the tenant, but also the property owner. The second area of consideration is whether this would apply to "habitual" violators that then would require the property owner to be held responsible if the tenant fails to comply.

**FISCAL IMPACT:** This will require staff time and use of Attorney services. Actual cost of time has not been calculated.

**ACTION TO BE TAKEN:**

1. Motion to move forward with research for a creation of an ordinance to cite property owners of rental properties with habitual tenant violators.
2. Motion to establish through a formal resolution on procedures for staff to follow when issuing citations for rental properties.
3. Send back to staff for further research and return for future Public Safety Committee review.
4. No action.

**ITEM:** Update on Changes to Liquor Establishment Requirements

**ISSUES:** At the last Public Safety Committee meeting, staff informed members that the Town had only reserve licenses available. The cost for a reserve is \$10,000. Staff was aware of two businesses that held liquor licenses but were not using them. Some communities limit the time a business could hold a license. It was recommended that staff come back to the Public Safety Committee with a recommendation for a revised ordinance. Please see attached revision with highlighted changes. In the meantime, current businesses with liquor licenses were forewarned at renewal time by letter that the Town was considering limiting the time allowance to hold a liquor license without utilization. Since then, one business has surrendered their license.

The Public Safety Committee could consider a shorter expiration other than what has been identified in the revised ordinance. The current draft gives twelve (12) months, plus a six (6) month extension.

**FISCAL IMPACT:** There will be some staff time and Attorney review required. Costs should be minimal.

**ACTION TO BE TAKEN:**

1. Motion to recommend forwarding changes to Town Board subject to Attorney review.
2. No action.

## 12.03 - INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES.

### (5) LICENSE RESTRICTIONS.

- (a) Statutory Requirements. Class A and B licenses shall be issued only to persons eligible therefor under §125.04, Wis. Stats.
- (b) Location.
  - 1. No retail Class A or Class B license shall be issued for premises the main entrance of which is less than 300' from the main entrance of any established public school, parochial school, hospital or church. The distance shall be measured by the shortest route along the highway from the closest point of the main entrance of the school, church or hospital to the main entrance to such premises.
  - 2. This paragraph shall not apply to premises licensed as such on June 30, 1947, nor shall it apply to any premises licensed as such prior to occupation of real property within 300' thereof by any school, hospital or church building.
- (c) Violators of Liquor, Beer Laws or Ordinances. No retail Class A or B license shall be issued to any person who has been convicted of a violation of any federal or State liquor or fermented malt beverage law or the provisions of this section or whose license has been revoked under §125.12, Wis. Stats., during one year prior to such application. A conviction of a member of a partnership or the partnership itself shall make the partnership or any member thereof ineligible for such license for one year.
- (d) Health and Sanitation Requirements. No retail Class A or B license shall be issued for any premises which does not conform to the sanitary, safety and health requirements of the State Department of Industry, Labor and Human Relations pertaining to buildings and plumbing, to the rules and regulations of the State Department of Health and Social Services applicable to restaurants and all such ordinances and regulations adopted by the Town.
- (e) License Quota.
  - 1. The number of persons and places that may be granted a retail Class B liquor license under this section is limited as provided in §125.51(4), Wis. Stats.
  - 2. The number of persons and places that may be granted Class A retail liquor licenses under this section shall be and hereby is limited as follows: There shall be only one Class A retail liquor license for each 1,000 inhabitants or fraction thereof in the Town as determined by the last preceding census of the Bureau of the Census of the United States Government or the estimate made by the State of Wisconsin. (Am. #93-07)
- (f) Corporations. No corporation organized under the laws of this State or any other state or foreign country may be issued any alcohol beverage license or permit unless such corporation meets the requirements of §125.04(6), Wis. Stats.
- (g) Age Requirement. No license hereunder, except an operator's license, shall be granted to any person who has not attained the legal drinking age. Operator's licenses may be issued only to applicants who have attained the age of 18.
- (h) Effect of Revocation of License. Whenever any license has been revoked, at least 12 months shall elapse before another license shall be granted to the person whose license was revoked.
- (i) Reserved. (Rep. #03-06)
- (j) Class B Licensed Premises to be on Street Level. A retail Class B License shall be issued only for that portion of a premises located on the street level. This restriction shall not apply to a bona fide club, society or lodge in existence not less than 6 months prior to application nor prohibit any hotel holding a State permit from supplying beverages in original containers to bona fide patrons in rooms rented by such patrons.

- (k) Issuance for Sales in Dwellings Prohibited. No license shall be issued to any person for the purpose of possessing, selling or offering for sale any intoxicating liquor or fermented malt beverages in any dwelling house, flat or residential apartment.
  - (l) Building Requirement. (Cr. #95-05) No Class A or Class B intoxicating liquor license shall be issued or reissued unless at the time of application the applicant has a building on the premises for the purposes of utilizing the license. Said building shall comply with all federal, State, County and Town laws, regulations and ordinances. If the building where alcoholic beverages are sold is destroyed, the license shall remain valid until the expiration of the license term and, in addition, the person issued the license shall have 60 days after expiration to complete construction of a new building for reissuance of a new license. The Town Board, at its option, may waive the construction completion requirement if the Town Board receives from the applicant written plans or written contracts with a signed sworn statement from the applicant that construction of a building for retail alcohol sale will be completed for actual business operations and in conformity with state and Town laws, regulations and ordinances within 90 days after the submittal of the application.
  - (m) If an applicant fails to operate under a granted license for twelve (12) months for reasons other than construction, the Town Board may rescind such license or grant further period of non-operation, not to exceed six (6) months, based on the then existing circumstances, but said applicant shall be operational within the extended period or the license will be deemed rescinded at the end of the extension period. If rescinded, any license fee paid shall be non-refundable.
- (6) FORM AND EXPIRATION OF LICENSES. All licenses shall be numbered in the order in which they are issued and shall state clearly the specific premises for which granted, the date of issuance, the fee paid and the name of the licensee and, unless sooner revoked, shall expire on June 30 thereafter except as otherwise provided. The Clerk shall affix his affidavit as required by §125.04(4), Wis. Stats.

**ITEM:** Contract for Marathon County Sheriff's Department Discussion

**ISSUES:** Attached you will find a draft contract for limited law enforcement services with the Marathon County Sheriff's Department. As discussed previously, the Marathon County Sheriff's Department will be able to provide reserve deputies at the request of Rib Mountain for traffic enforcement and special events. The contract outlines the services and expectations of the Sheriff's Department and the Town. This will need final review from the Attorney and approval from the Town Board.

**FISCAL IMPACT:** The Town Board agreed in May to use \$500 from the Code Enforcement budget and \$2100 from Contingency for the remainder of FY 2016. For FY 2017, the Board will need to decide how much to allocate.

**ACTION TO BE TAKEN:**

1. Motion to recommend to the Town Board the attached draft contract for Marathon County Sheriff's Department for limited services contingent upon Attorney review.
2. Deny and send back to staff for further review.

**AGREEMENT FOR LAW ENFORCEMENT SERVICES  
MARATHON COUNTY SHERIFF'S DEPARTMENT  
&  
TOWN OF RIB MOUNTAIN**

**THIS AGREEMENT** is made as of the \_\_\_\_\_ day of \_\_\_\_\_ 2016, by and between the Marathon County Sheriff's Department, hereinafter referred to as the "County" and the Town of Rib Mountain, a municipal corporation, hereinafter referred to as the "Town".

**WHEREAS**, the Town wishes to contract with the County for certain law enforcement services within the Town's municipal boundaries on an as-need-basis; and

**WHEREAS**, the services will generally cover Town requested traffic enforcement and special events held within the Town; and

**WHEREAS**, these requested services are outside the required law enforcement responsibilities by the County as defined by Wisconsin State Statute 60.56; and

**WHEREAS**, the County, by and through its Sheriff, wishes to perform law enforcement services for the Town as set forth below; and

**NOW, THEREFORE**, the parties hereto agree as follows:

**I. SERVICES**

- a. The County shall provide reserve deputies per the Town's request for traffic enforcement and special events.
  - i. Traffic enforcement would include speeding, parking, school zone compliance and other traffic enforceable laws within the Town.
  - ii. Special events would include Town and non-Town sponsored events that requires crowd control and safety support.
- b. Services requested by the Town outside of traffic enforcement and special events shall be discussed prior to reserve deputy assignment.
- c. A minimum of one, but no more than two reserve deputies shall be used for requested enforcement unless mutually agreed upon.
- d. Requested time for services shall be no less than two hours and no more than eight hours in a given day unless mutually agreed upon.
- e. The Town understands that requested services for scheduled time and date may be canceled due to emergencies or other immediate needs of the County.
  - i. The County shall notify the Town Administrator or his/her designee as soon as possible if requested services are canceled.
  - ii. If services are canceled, the Town shall only pay for actual services rendered, if any.
- f. Within ten days of completion of service, the County shall submit a summary of work completed to the Town Administrator or his/her designee. The report will include any concerns or recommendations for the Town.

**II. COSTS**

- a. The cost for requested services are attached as Exhibit A and are based on an hourly rate. The costs shall remain in effect from September 1, 2016 to December 31, 2017.
- b. It is understood the hourly rate identified in Exhibit A will include all associated costs in providing a reserve deputy together with equipment.
- c. The Town shall not be responsible for costs associated with court appearances or other expenses as a result of citation(s) issued during the requested service time.
  - i. The County shall collect and retain all revenues received by fines including court fees as a result of citation(s) issued during the requested service time.
- d. Upon completion of services and no more than thirty days from date of service, the County will invoice the Town for services rendered. The Town shall make payment within ten days of receipt.

**III. NOTICE**

- a. The Town will be required to give the County a minimum of a ten day-notice for a request of services. If the request is less than ten days, then the Town may be subject to a higher rate as identified in Exhibit A.
- b. The Town and County agree that requested service times will vary and may be sporadic. The County shall have the right to deny service based on scheduling or personnel availability.

**IV. TERM**

- a. The term of this agreement shall be from September 1, 2016 to December 31, 2017.
- b. Amendments to this agreement must be mutually agreed upon and will require Town Board approval.
- c. Both the County and the Town will make a good faith effort to abide by all the provisions included in this agreement.

TOWN OF RIB MOUNTAIN:

By: \_\_\_\_\_  
Allen Opall, Town Chairman

Attested by: \_\_\_\_\_  
Jessica Trautman, Town Clerk

MARATHON COUNTY:

By: \_\_\_\_\_  
Kurt Gibbs, County Board Chair

By: \_\_\_\_\_  
Scott Parks, Sheriff

**EXHIBIT A**

Reserve Deputy (includes all cost for equipment)

\$30/hour

Non-Reserve Deputy (includes all cost for equipment)

\$XX/hour

**ITEM:** Fireworks Display Discussion

**ISSUES:** Per the Fire Chief's request, attached is a revised fireworks display application. The Chief would like the applicant to describe EMS and Fire protection plans. This is consider a safety measure. See attached application with highlighted changes.

**FISCAL IMPACT:** None

**ACTION TO BE TAKEN:**

1. No action.

## FIREWORKS DISPLAY PERMIT APPLICATION

- Complete the entire application and return it to the address listed above.
- **A Certificate of Insurance naming the Town of Rib Mountain as an additional insured must be submitted with this application. The amount of coverage shall be no less than one million dollars (\$1,000,000).**
- A fireworks display permit will not be issued to a minor.
- This permit is only valid in the Town of Rib Mountain for the location and date specified.
- A copy of this permit must be given to a municipal fire or law enforcement official at least two days prior to the event date.
- A separate permit is required for each display date.
- The fireworks permit fee is \$75 for each display date.

**OFFICE USE ONLY**

Fireworks may be purchased on or after \_\_\_\_\_  
Month Day Year

Display Location/Address \_\_\_\_\_

Display Date \_\_\_\_\_ Display Time \_\_\_\_\_

*Note: No fireworks shall be discharged after 11:00 p.m. or before dusk of the following day. No display shall exceed one hour.*

Applicant \_\_\_\_\_ Are you age 18 or older? \_\_\_ Yes \_\_\_ No

Applicant Address \_\_\_\_\_

Applicant Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

Sponsoring Organization \_\_\_\_\_

Sponsoring Organization is: (Check the one that best applies.)

- |   |   |
|---|---|
| <input type="checkbox"/> Individual         | <input type="checkbox"/> Group of Individuals       |
| <input type="checkbox"/> Civic Organization | <input type="checkbox"/> Park Board                 |
| <input type="checkbox"/> Public Authority   | <input type="checkbox"/> Fair Association           |
| <input type="checkbox"/> Amusement Park     | <input type="checkbox"/> Farmer for Crop Protection |
| <input type="checkbox"/> Other _____        |   |

Sponsor's Address \_\_\_\_\_

Sponsor's Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

Event Pyrotechnician/Shooter's Name \_\_\_\_\_

Are you certified? \_\_\_Yes \_\_\_No If yes, certification # \_\_\_\_\_

Describe plan for Fire Protection and First Aid: \_\_\_\_\_

List the type and approximate quantity of fireworks you plan to purchase and display.

Type of Firework	Approximate Quantity

I certify under the penalty of perjury that all statements, answers and representations made herein, including all supplementary statements attached hereto, are true and accurate. I understand and accept full responsibility for the strict adherence of all Federal, State, Local and NFPA laws. A violation of any of the above shall be cause for the permit to be revoked.

I agree to adhere to the special conditions in Ordinance 9.05 of the Town of Rib Mountain. A copy of ordinance 9.05 has been provided to me for my reference.

The applicant and sponsoring agency, if any, agree to indemnify and hold the Town of Rib Mountain harmless from any claims or liability, including attorney fees and other defense costs, which may arise from the applicant's display or possession of fireworks.

Signature of Permit Holder: \_\_\_\_\_ Date \_\_\_\_\_

**\*\*\*OFFICE USE ONLY\*\*\***

Approval by Town Chairman or representative: \_\_\_Approved \_\_\_Denied

Signature \_\_\_\_\_ Date \_\_\_\_\_

**\*\*\*OFFICE USE ONLY\*\*\***

Applicant/Event \_\_\_\_\_

Date application received \_\_\_\_\_

Has permit fee been paid?  Yes  No, Date received \_\_\_\_\_

Has Certification of Insurance been filed?  Yes  No, Date received \_\_\_\_\_

Was Certificate of Insurance reviewed by Town's insurance agent?  Yes  No

\_\_\_\_\_  
**SAFER District's** application recommendation?  Approve  Deny

Any special conditions? \_\_\_\_\_

\_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
**Code Enforcement Officer's** application recommendation?  Approve  Deny

Comments \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

DRAFT

**ITEM:** Update of Purchase of Emergency Siren

**ISSUES:** For the past several months staff has been working with Bert Nitzke from SAFER for emergency siren planning. It had been determined that an additional siren was needed on the south side of the community. A second siren would be placed at the Public Safety Building. Based on estimates, the median cost was \$50,000. This amount was included in the Town's latest borrowing. Now, the next step is to go forward with a Request for Proposals (RFP). The following is a timeline for the RFP process:

August 1 Release of Request for Proposals  
August 12 Request for Proposals Due  
August 16 Town Board Approval  
September to October Install of new siren

This schedule is very tight. An alternative schedule would be to push the due date for the Request for Proposals back an extra week to August 19 with Town Board approval on Tuesday, September 6. It is recommended not to push the schedule any later than September 6 for final approval due to weather.

Because the Public Safety Committee meets infrequently, it is recommended the final proposals go straight to Town Board.

**FISCAL IMPACT:** Money for the siren was set aside in the 2016 GO Note for \$50,000.

**ACTION TO BE TAKEN:**

1. No action required.