

# TOWN OF RIB MOUNTAIN

## *Regular Town Board Meeting*

*November 3, 2009*

Chairman Allen Opall called the meeting of the Rib Mountain Town Board to order at 7:00 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Supervisors Peter Kachel, James Legner, Frederick Schaefer and John Sybeldon.

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

On October 30, 2009 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 Schaefer/Sybeldon to approve the minutes of the 10/20/09 regular and 10/13/09 special Town Board meetings. Questioned and carried 5:0.**

Plan Commission Report & Recommendations - Docket 09-18: Eric Greening, Wisconsin Baseball Academy, requesting conditional use approval for an indoor entertainment use (batting cages / training facility) per RMMC 17.056(4) (h) at 1207 Starling Lane. The Plan Commission recommended approval of the conditional use request for an indoor entertainment use (batting cages / training facility) at 1207 Starling Lane. Dan noted there is adequate parking for the use and Mr. Greening will begin business with just a sign on the outer door of the building. **Motion by Schaefer/Legner to approve the recommendation of the Plan Commission for approval of the conditional use request for an indoor entertainment use at 1207 Starling Lane. Questioned and carried 5:0.**

Official Payments Corporation Agreement: Electronic Processing Agreement - UW-SP Intern Kami Lynch explained that the Town will not incur any fees as the consumer will pay all convenience fees associated with electronic payment of taxes and ambulance bills. The Town plans to implement this payment option in time for 2009 tax collection. Attorney Toner reported contract provisions should assure that all information entered by the user is kept confidential. **Motion by Schaefer/Sybeldon to approve the agreement with Official Payments Corporation for credit card payments for ambulance invoices and taxes. Questioned and carried 5:0.**

Rib Mountain Drive Project (CTH N) - Cedar Corporation notified Scott Schatschneider that the plans, specs and engineering (PS&E) for the Rib Mountain Drive project have been pushed back to 2011 as a result of the WisDOT stimulus construction projects that must be completed in 2010. The PS&E has been moved to 8/1/10 with a new let date of 12/14/10. Scott presented a spreadsheet of project funding and mounting costs and concluded the project is already \$551,573 short. Supervisor Schaefer criticized Bruce Gerland of AECOM for his project management and asked that the project be referred to the Public Works Committee for further review.

Agreement with Steigerwaldt Land Services, Inc. for Rib Mountain Drive Right-of-Way Acquisitions - The Town Board approved a \$14,300 contract with Steigerwaldt for right-of-way acquisitions. Steigerwaldt submitted an invoice for \$15,500 for services rendered to date and submitted a new contract. Barb Taves of Steigerwaldt explained that she understood this was a non-complex sidewalk project for nominal acquisitions with a dollar value under \$10,000 for temporary limited easements. She claimed to have put 972 hours into services provided to the Town. As this project now involves right-of-way plat revisions, closing access and 80% of the properties are over the \$10,000 threshold, she is now required, by law, to do appraisals. Steigerwaldt proposed a new amended contract price of \$27,500.

Supervisor Schaefer was critical of Ms. Taves' lack of understanding of the complexity of the project. Barb Taves explained the Town will lose its funding if federal guidelines are not followed. Barb Taves noted the appraisal fee is usually \$2,400 but Steigerwaldt will only charge \$1,200 for each acquisition required to meet federal guidelines. Supervisor Schaefer stated Steigerwaldt must buy the property in fee. She stated the Town can't own any properties until the design study is approved.

Bruce Gerland of AECOM concurred that the design study report must be completed. He is waiting on the environmental document that needs approval from federal highways. Cedar Corp has had the document since February 2009 and had indicated to Bruce it was ok to move forward with the right-of-way acquisitions.

Supervisor Kachel concluded this is a very confusing situation. Barb Taves noted she was under the assumption that the design study report would be approved by the end of August. Supervisor Schaefer asked when the study would be done. Bruce Gerland replied six to eight weeks. He stated he has been in constant contact with Gregory Wolfe, the local manager for this project, and he was also told all regular projects have been put on hold. This item was referred to the Public Works Committee for further review. Scott will determine if Barb Taves needs to be present at that meeting.

Contract Between Town of Rib Mountain and Great Lakes Archaeological Research Center (GLARC) for 51/29 Trail Archaeological Study – As part of the federal funding for the 51/29 multi-use trail, the WisDOT requires the Town to do an archaeological survey because it is an undisturbed corridor. Construction funding for the trail project is 75:25 with a cost estimate of \$250,000. This study will be at the Town's expense. GLARC submitted a scope of services and contract for \$1,639.39. **Motion by Schaefer/Legner to approve a contract with GLARC for an archaeological study for the 51/29 trail for an amount not to exceed \$1,639.39. Questioned and carried 5:0.**

Chairman's Appointment to Plan Commission – Chairman Opall reappointed Leland Benes to the Plan Commission with a new term expiring July 2014. **Motion by Kachel/Sybeldon to approve the Chairman's appointment. Questioned and carried 5:0.**

Authorization for Scott Schatschneider to Attend and Vote at MPO Meetings During November and December 2009 – **Motion by Kachel/Legner to authorize Scott Schatschneider to represent the Town of Rib Mountain during Administrator Rhoden's leave at the Metropolitan Planning Organization (MPO) meetings. Questioned and carried 5:0.**

Ordinance 09-08: Fee for Fireworks Permit - **Motion by Schaefer/Sybeldon to adopt and approve Ordinance No. 09-08 to charge a fee for fireworks permits. Questioned and carried 5:0.**

Approval to Sell Public Works Equipment (Loader and Backhoe) – Scott Schatschneider requested approval to advertise the sale of the front end loader to begin the process of requesting quotes on new equipment. The money to replace this equipment will come from the 2009 borrowing. **Motion by Schaefer/Kachel to advertise the sale of Town Public Works equipment and request quotes for a loader and backhoe. Questioned and carried 5:0.**

New Hires: Public Works and Recreation – **Motion by Schaefer/Legner to hire Roy Sawczuk and Eugene Setterman as part-time seasonal snow plow drivers at the returning employee hourly rate of \$15.63; Randy Sauter as a part-time seasonal snow plow driver at the new hire hourly rate of \$15.18; and returning part-time seasonal ice rink employees Jason Kickbusch at the returning employee hourly rate of \$10.72 and Thomas Bedora at the returning employee hourly rate of \$10.42. Questioned and carried 5:0.**

Consider Changing Regular Town Board meeting Time from 7:00 to 6:00 p.m. License Applications – The Board directed Deputy Inspector Bill Hebert to conduct an online survey about changing the time of the regular Town Board meetings from 7:00 p.m. to 6:00 p.m. Bill Hebert will submit a report with results

to the Town Board. **Motion by Schaefer/Legner to do an online survey for one month on the Town's website. Questioned and carried 5:0.**

Forthcoming Events:

- Doepke Recreation Area Fund Raising Committee: None
- Walkable Community Committee: None
- Park Commission Report: The Park Commissioners are considering increasing the rental fees and charging a fee for cancellations at Doepke Park. Supervisor Schaefer emphasized that rentals should be less for residents than non-residents and that commercial fees should be higher than personal fees. Supervisor Legner commented on the new signs at the Chellis and Liberty Parks. Scott reported that a charity car wash never materialized.
- Public Safety Committee Report: None
- Finance & Personnel Committee Report: None
- Public Works Committee Report: Supervisor Schaefer reported the Committee will meet to discuss Rib Mountain Drive and the Steigerwaldt contract. He reported the Town is in agreement for connectivity and projected June 2010 as a light up date. Once all the details have been worked out, the Connectivity Committee will make a presentation of costs and the process to start the project.
- Town Chairman Report: None
- Town Supervisor Reports: Supervisor Schaefer suggested there be a \$25 fee for amusement devices and a \$50-\$100 fee for imitation gambling devices.
- Town Administrator Report: Gaylene Rhoden is on maternity leave.
- Town Attorney: Chris Toner stated he will update the Board on the Kurzynski trial in closed session immediately following this meeting and will have an update soon regarding the Bruce Nelsen tax refund.
- Fire Chief Report: Paul Wirth provided a written report for the Board's review. A contract with the Village of Kronenwetter is forthcoming and the new ambulance should be here in December or January.
- Building Inspector Report: Daniel Dziadosz submitted a written report and an October permit report. Jeff Musson made a presentation to Staff

on the potential office remodeling. Dan noted that a storage garage has been proposed by Public Works staff at the Municipal Center to store bike rodeo supplies, the Code Enforcement vehicle and a snow blower. He reported on the Town's recent computer issues. Deputy Inspector Bill Hebert attended a recent Rib Mountain Sanitary District meeting and he submitted a memo which apprised the Town Board the District of several items, especially ongoing issues with magnesium and iron contamination in Wells #1 and #2 and consideration to build a \$3-\$4 million above-ground treatment plant.

- Streets/Parks Superintendent Scott Schatschneider apprised the Board of crew activities and public works projects. The 11/17/09 Town meeting agenda includes authorization to purchase property for Town purposes. Supervisor Schaefer requested that the speed sign on North Mountain Road be programmed to work an additional two hours in the morning and in the afternoon.
- Clerk/Treasurer Report: Patricia Jahns submitted a written report. The auditors were here on Monday doing preliminary work. The Town may have to hire an actuary to obtain a report on other post employment benefits in order to close the 2009 audit. She reported that approximately 500 bus surveys have been returned to the Municipal Center.
- Code Enforcement Officer: Paul Hursh submitted a report of October complaints and calls for service.

Public Comment Period – Resident Bev Kordus expressed her concerns about Town vs. residential liability if a resident places something in the road right-of-way. She also inquired what was included in the \$1.8 million Rib Mountain Drive project. Supervisor Legner asked her to let the Town know if she was aware of any right-of-way problems. Scott stated the snowplow drivers are now driving their routes and contacting property owners regarding potentially dangerous situations.

**Adjourn - Motion by Kachel/Legner to adjourn at 8:12 p.m. Questioned and carried 5:0.**

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