

# TOWN OF RIB MOUNTAIN

## *Regular Town Board Meeting*

*April 5, 2011*

Chairman Allen Opall called the regular meeting of the Rib Mountain Town Board to order at 6:30 p.m. at the Rib Mountain Municipal Center, 3700 North Mountain Road. Present were Supervisors Fred Schaefer and Pete Kachel. a quorum. Excused: Supervisors Jim Legner and John Sybeldon.

The pledge of allegiance was led by Supervisor Kachel. There were 18 people in the audience.

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

On April 1, 2011 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/Kachel to approve the minutes of the 3/9/11 rescheduled regular and the 8/17/10 special Town Board meetings. Questioned and carried 3:0.**

Plan Commission Report & Recommendations – Docket #11-02: Douglas Hall of Hall Building & Design, representing Tom & Connie Schuette, requesting conditional use approval for the construction of an addition to an existing detached accessory building for residential storage purposes per RMMC 17.056(8)(d)-Detached Private Residential Garage, Carport, or Utility Shed, in excess of 1,000 square feet. Total building square footage estimated at approximately 1,500 square feet in an Estate Residential zoning district also location of a detached energy system (emergency generator) per RMMC 17.056(8)(x) at 7500 Bluebell Drive.

The Plan Commission recommended approval of the conditional request subject to 1) six months for completion of the generator / pool house alternations; 2) the Town Board establish a firm date for overall project completion; 3) restoration of the parking lot by first frost or November 1, 2011 and 4) generator testing on a monthly vs. weekly basis if it was capable of being programmed.

Supervisor Schaefer commented the Schuette house has undergone numerous alterations, additions and renovations and the ongoing construction is a concern to the neighborhood. He was reluctant to approve a conditional use unless there was a developer agreement with a completion date and monetary penalties if the applicant goes beyond the set date. He asked if Staff had a plan to end the ongoing construction. Dan Dziadosz commented that the total square footage in an ER district is 1,000 square feet without conditional use approval and 1,500

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square feet with a conditional use approval. He was hopeful the project would be wrapped up by the end of this year. The Town could also implement enforcement options.

Chairman Opall agreed there should be a reasonable timeframe to complete the construction. Dan noted that with each new permit there is another 24-month period allowed for completion of that permit.

Supervisor Kachel suggested that the conditional use be granted subject to a deadline for total completion.

Supervisor Schaefer agreed and suggested the Town Board use the November 1, 2011 date as recommended by the Plan Commission for a firm completion date. The conditional use should be subject to an agreement between the Town and the applicant with an 11/1/11 completion date, restoration of the parking lot and a per day penalty of \$1,500 if the project goes beyond that date.

**Motion by Schaefer/Kachel to approve a conditional use subject to a developer agreement with total completion of project by November 1, 2011, an occupancy permit, restoration of the parking lot, and monetary penalties of \$1,500 per day. Questioned and carried 3:0.**

Polka Fest Donation Request – TMC Adventures will hold a Rib Mountain Rendevous polka dance from April 8-10 at Howard Johnsons Inn & Conference Center. Neal Zunker of TMC and Kelly Clark of HoJos again requested up to \$1,000 for advertising costs noting the event has some repeat sponsors and fills approximately 170 rooms. **Motion by Schaefer/Kachel to allocate up to \$1,000 for advertising reimbursement for this polka event. Questioned and carried 3:0.**

Granite Peak Ski Area Request to Use Municipal Lot – Vicki Bauman of Granite Peak Ski Area requested use of the Municipal Center parking lot overflow parking on its busier weekends and during the Christmas/New Year's holiday to avoid parking on North Mountain Road. Granite Peak offered to provide snow removal in the municipal lot if the Town crew was unavailable. **Motion by Kachel/Schaefer to approve the use of the municipal parking lot as requested by Granite Peak subject to Staff input and Town insurance needs. Questioned and carried 3:0.** Supervisor Schaefer requested Granite Peak to consider a donation to defray Town ambulance expenses.

Pavement Maintenance Bids – The Public Works Committee recommended Fahrner's bid of \$24,841 for seal coating, Fahrner's bid of \$1.26 per pound for crack

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filling with rubber base compound, Fahrner's bid of \$2.25 per pound for crack filling with polymastic joint repair, and RC Paver's bid for miscellaneous asphaltic pavement patching. The Committee recommended that the Town hold off on double chip seal coating due to pavement conditions. **Motion by Schaefer/Kachel to approve the recommendation of the Public Works Committee. Questioned and carried 3:0.**

Resolution 11-02: Pre-Tax Employee Contribution to Wisconsin Retirement System- The Finance & Personnel Committee recommended authorization that new mandatory employee contributions to WRS may be pre-tax withholdings. Employees overwhelmingly support this and there will be no financial impact on the Town. **Motion by Schaefer/Kachel to approve the Finance & Personnel Committee recommendation. Questioned and carried 3:0.**

Sound System Trade-In for Wireless Microphone -Daniel explained the Town doesn't have a roving mike as the old one is not compatible with the new sound system. The Town has an opportunity to trade-in its old audio equipment for a wireless microphone at a cost, which includes labor, of approximately \$200 to \$300. Neal Zunker of TMC Adventures offered to give the Town a second opinion. **Motion by Schaefer/Kachel to approve up to \$300 for a wireless microphone system. Questioned and carried 3:0.**

Real Estate Mortgage Subordination Agreement: CDBG Loan #305 - Protocol for subordination of a Community Development Block Grant Loan requires Town Board action. **Motion by Schaefer/Kachel to approve the subordination of Community Development Block Grant Loan #305 to Integrity First Bank. Questioned and carried 3:0.**

New Hires / Promotions - **Motion by Kachel/Schaefer to approve the appointment of Tim Stieve, Shane Will and Darin Westover to the position of Captain with Rib Mountain Fire Department. Questioned and carried 3:0.**

**Motion by Kachel/Schaefer to approve the rehire of William Krautkramer and Joe Ricci AS seasonal summer employment at the rate of \$10.57 per hour. Questioned and carried 3:0.**

Operator License Applications - **Motion by Schaefer/Kachel to approve operator licenses for Joseph B. Chadwick, Ashley M. Dupuis, Jenna R. Golembiewski, Bailey K. Holubets, Lindsey J. Morgan, Caitlin D. O'Connor, Jennifer L. Reisner and Lori A. Schneller. Questioned and carried 3:0.**

Town Board Report - Chairman Opall read a letter from residents Tom and Pat Gunderman, 1104 Hollibush Lane, about the excellent work by the Rib Mountain workers this winter.

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Supervisor Schaefer inquired about giving out parking notices for those drivers incorrectly parking their cars on the east end of Park Road.

Staff Reports – Administrator Rhoden provided a written report. She will apply for a grant for an intern from the Wisconsin City Managers Association. She and Dan will attend the International Council of Shopping Centers conference in Milwaukee later this week.

Fire Chief – Chief Wirth provided a written report and a March run report. He commented the Marathon County Finance Committee will recommend to the County Board on April 19 that the property lying south of the Public Safety Building be transferred to the Town of Rib Mountain.

Building Inspector – Daniel Dziadosz provided a written report. He noted that a feasibility analysis is underway for another retail store in Rib Mountain. The DNR plans to put up a storage warehouse at its Rib Mountain Drive site. The I-39/Foxglove Bridge project is subject to a special exception review by Marathon County due to the proximity to the Wisconsin River but no local review. Supervisor Schaefer directed Staff to send a letter to the Town attorney regarding DNR compliance with local building aesthetics and local zoning review of the DOT's I-39 project.

Dan also reported a neighbor offered parking to the State Park Speedway to alleviate parking on CTN NN. There is disagreement if the Town is able to regulate wind energy systems. And he received two more inquiries for new single family structures.

Streets / Parks Superintendent – Scott Schatschneider reported the yard waste site will open on April 13 and will be open for the first six Sundays in addition to each Wednesday and Saturday. He provided information about DOT summer projects and meetings.

Clerk / Treasurer – Patricia Jahns reported the Annual Meeting is set for April 12 and the Board of Review is set for May 31. Preliminary redistricting information from County Planning indicates that existing ward boundaries will remain the same but the Town will lie in only County Board Districts 36 and 37 and no longer in District 35. She requested payment approval of March checks. **Motion by Kachel/Schaefer to approve payment of checks 37855-38004. Questioned and carried 3:0.**

Code Enforcement Officer – Paul Hursh provided a written report of March complaints and calls for service.

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### Committee / Commission Reports -

The Walkable Community Committee is preparing for the May bike rodeo to be held at South Mountain School.

Park Commission – Proposed Playground Equipment and Dumpster Enclosure  
President George Snyder and Park Commissioner Scott Miles presented renderings of Lee Recreation playground equipment selected for 5-12 year olds at the Doepke Recreation Area. The new playground equipment, with a 15-year warranty, will be located just north of the existing equipment. Some assembly will be required by the Town crew. The Park Commission is confident the equipment at a cost of \$60,000 is a good choice for Doepke Park.

Scott Schatschneider added that the Park Commission will purchase a dumpster enclosure for the east side of the parking lot. It will match the building, be locked and lit. Installation is proposed for July 15, after the Youth Baseball season. The money for the playground equipment and dumpster enclosure will come from the 2009 borrowing note.

The Public Works Committee met prior to this meeting. Scott Schatschneider reported the utilities along Rib Mountain Drive should be buried by mid to late April. Wisconsin Public Service indicated the light poles will remain up until the actual project starts. An insurance claim was filed for the traffic signal that was damaged by a snow plow truck.

The Finance & Personnel Committee met prior to this meeting and the Town Board acted on its recommendations.

Public Comment Period – Tom Schuette, 7500 Bluebell Drive, stated he was shocked by the Town Board's action on his request for a conditional use. He had wanted to present some facts about the construction but was never asked to speak.

Supervisor Schaefer stated testimony on the conditional use was taken at a public hearing held before the Plan Commission and a recommendation was made by the Plan Commission. He was not aware of any additional issues. Further, discussion was not an "agendized item" and could not to be discussed at this time.

Doug Hall, contractor for Tom Schuette, asked for clarification of the completion date. Supervisor Schaefer stated that the Plan Commission wanted a firm date for project completion. November 1, 2011 is the date approved by the Town Board for completion of the project, occupancy permit and parking lot.

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Harlan Hebbe, Jr. inquired about a vacant house in his neighborhood as he is concerned about weed control. Dan Dziadosz commented that, according to Census workers, there are approximately 84 vacant properties in the Town of Rib Mountain and local realtors have confirmed that number.

**Adjourn - Motion by Kachel/Schaefer to adjourn at 7:39 p.m. Questioned and carried 3:0.**

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